



P.D.R



William Charles De Meuron, Earl Fitzwilliam.



2^o J. rel. 500 a
(1)

William, 4th Earl Fitzwilliam, was
Lord Lieutenant of Ireland in 1795,

THE
STATUTES
AT LARGE

PASSED IN THE

PARLIAMENTS

HELD IN

IRELAND

FROM

The Third Year of Edward the Second, A. D. 1310,

to the
Twenty-fifth Year of George the Fourth,
A. D. 1836 inclusive.

With
Marginal Notes, and a Complete INDEX to the Whole.

PUBLISHED BY AUTHORITY.

IN FIFTEEN VOLUMES.



DUBLIN:

Printed by GEORGE GRIFFITHS, Printer to the King's Most Excellent
Majesty. MDCCLXXXVI.

THE
STATUTES
AT LARGE,
PASSED IN THE
PARLIAMENTS
HELD IN
IRELAND.

VOL. I.

Containing from the Third Year of EDWARD the Second,
A. D. 1310, to the Eleventh, Twelfth and Thirteenth
Years of JAMES the First, A. D. 1612 inclusive.

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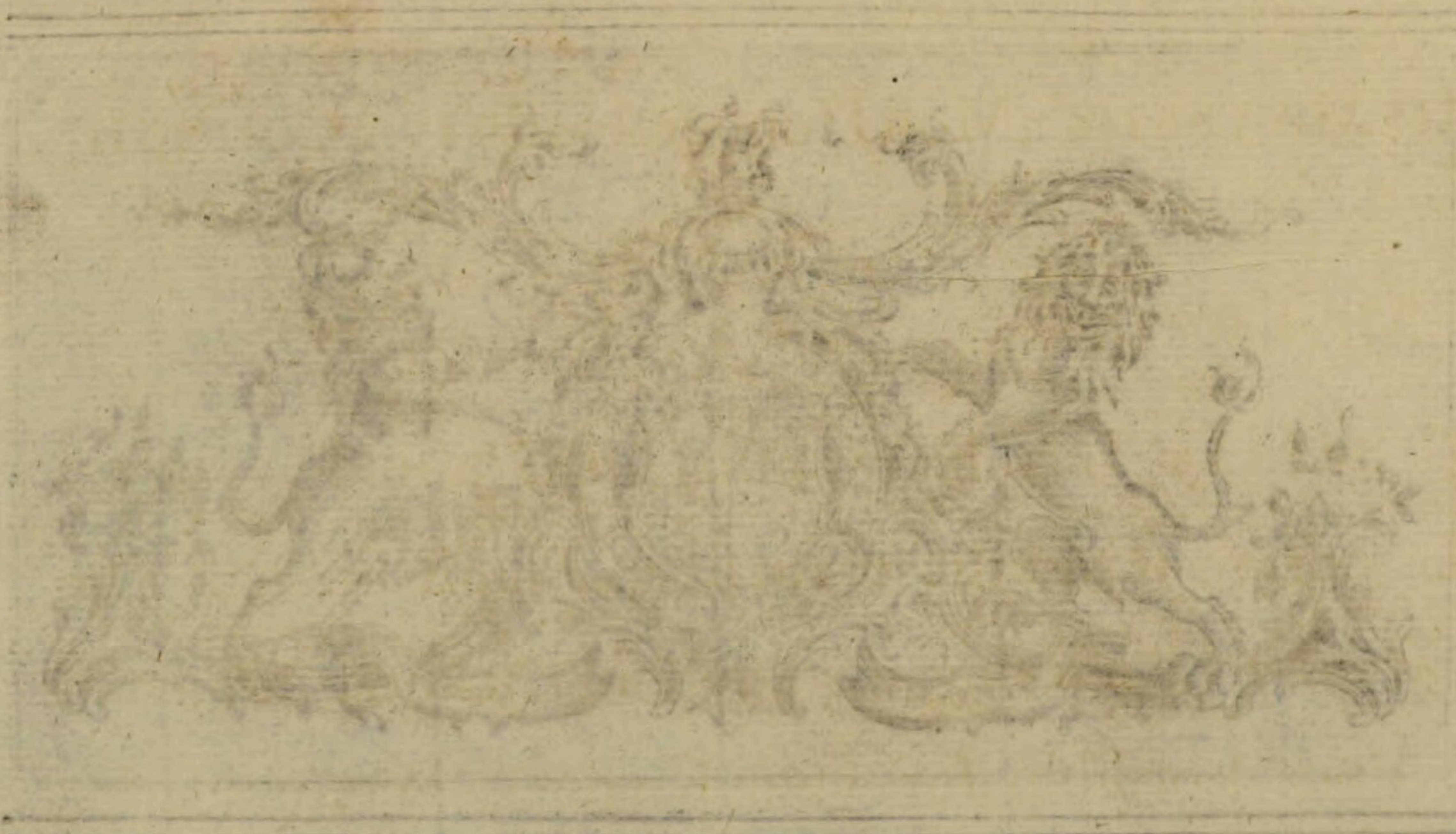
THE
STATUTES
IN
PARLIAMENTS
Held in
IRELAND.



VOL. I.

The two Statutes of 28 *Henry* 8. omitted in this Volume, in the former Edition, and placed at the End of the Eighth Volume, are now inserted in their proper Places.

PUBLISHED BY AUTHORITY.



DUBLIN:

Printed by George Grierson, Printer to the King's Most Excellent Majesty. MDCCLXXV.



TO THE RIGHT HONOURABLE

JAMES, Lord Viscount
Lifford of Lifford,

LORD HIGH CHANCELLOR of *Ireland*,

AND OF

HIS MAJESTY'S Most Honourable PRIVY COUNCIL.

My LORD,

I SHOULD be wanting in Gratitude, were I not to seize the earliest and most Publick Opportunity of offering my grateful Acknowledgments to Your Lordship for your Kindness in considering me as Capable of executing the Work now presented

VOL. I.

[a]

to

DEDICATION.

to Your Lordship. Accept then, my Lord, my most Heartfelt Thanks; and be assured that every Attention and Assiduity in my Power has been exerted in the Execution of it; considering that Conduct as the best Mode of convincing Your Lordship of the Sincerity of my Professions. With ardent Wishes for an uninterrupted Series of Happiness to Your Lordship,

I remain,

Your Lordship's

Most Obedient and Devoted

Very Humble Servant,

James Goddard Butler.



[DEDICATION to the former EDITION.]

TO HIS EXCELLENCY

JOHN, Lord Baron *Bowes*
of *Clonlyon*,

Lord CHANCELLOR,
One of the LORDS JUSTICES,

AND OF

His Majesty's Most Honourable Privy Council in *Ireland*.

My LORD,

THIS Edition of the Acts, passed in the several Parliaments of *Ireland*, being undertaken at the Desire of that august Assembly in which Your Lordship presides, and carried on under Your Patronage, has a natural Claim to Your Protection: but other Considerations also induce

VOL. I.

[b]

the

DEDICATION.

the Editor to request Permission to inscribe this Collection to Your Lordship. Many of these Statutes have been prepared and framed with Your Assistance, and under Your Inspection; and these Laws have been explained, enforced, and carried into Execution by Your Lordship, for above twenty-five Years, in both Courts of Equity; where Your Decisions have given Authority to Law, and Your Behaviour to it's Professors justifies them in looking up to Your Lordship with a Degree of filial Duty and Affection, as a political Parent to them and a Support of their Profession.

Rare and various are those Talents, my Lord, which constitute a great judicial Character! a ready and clear Apprehension! a sound, distinguishing, and exact Judgment! a comprehensive Understanding! Freedom and Liberality of Thought and Reasoning! Sagacity to investigate the great Principles of Justice, and Discernment to see where those Principles lead! yet these Qualities, however improved by Experience and Learning, though sustained by spotless Integrity and strict Impartiality in the most unremitted Application, would not have been sufficient, were not Your Lordship also blessed with a Zeal and Warmth, and with (if I may be allowed the Expression) a Passion for Justice. It is this great Spring, which animates the judicial Character, and gives to the Dictates of an honest Heart the natural Glow of a graceful and manly Eloquence!

Abilities, such as these, have enabled Your Lordship to lay open and clear the Sources of Equity;
to

DEDICATION.

to establish the Construction of our Laws upon plain and solid Foundations; and to make the High Court of Chancery a Terror to Fraud, and a Protection and Comfort to every honest Man.

Your Lordship hath successively supported several great Offices in the Law with the general Approbation of all Parties; while it hath been Your peculiar Felicity never to have been connected with any. Your Mind raised You above the Prejudices, Your Abilities needed not the Assistance, of Party. The Constitutional Connection of *Great Britain* and *Ireland*, and the mutual Interests resulting from thence, have been the unvaried Principles of Your Conduct: what Satisfaction then must all, who have the Well-being of both at Heart, have felt on seeing the Great Seal of this Kingdom committed to Your Lordship? In Addition to the Dignity of the Peerage, our Gracious Sovereign had but one further Mark of Favour and Confidence to bestow; by imparting His Mercy to those Hands, in which His Justice had been so long intrusted, for the Happiness of a loyal, grateful, People; by whom Your true and real Regards for their Welfare are universally acknowledged.

Permit me, my Lord, to lay hold of this publick Opportunity to express the deepest Sense of my particular Obligations to Your Lordship. This is a Subject, upon which I wish to enlarge; but dare not offend the Delicacy of Your Sentiments: though what may be deemed Adulation in one, may be but a cold Expression of Gratitude in another.

DEDICATION.

Publick Characters are the proper Objects of publick Disquisition; and those Virtues, which contribute to the Happiness of Mankind, should be pointed out to Imitation, that the Example may remain, when the Possessors of those Virtues shall be no more. May that Period in the present Instance be far distant! And may it be very long, before the unanimous Voice of the Sovereign and his People shall inscribe the Stone with this Honourable Testimony,

“ Well done, thou good and faithful Servant.”

I have the Honour to be

Your Lordship's most dutiful,

Most devoted, and

Obedient Servant,

Francis Vesey.

[DEDICATION of the former EDITION.]

TO THE
R E A D E R.

AS this Edition of the Acts, passed in the several Parliaments held in this Kingdom, may be considered as a Publick Work, in Part obtained at their Expence, and which could not have been executed without such Assistance; it may be proper to shew the Necessity of this Undertaking from the present State of the printed Statutes in *Ireland*, and also the Advantages proposed by what is now done, in attempting to supply former Defects, and to render this Impression useful and commodious to the Reader.

THE *Irish* Statutes now in Print, consist of those collected by Sir RICHARD BOLTON, in one Volume in Folio, printed in 1621, by the Society of Stationers, then Printers to his Majesty: reprinted by *Benjamin Tooke*, in 1678, with the Addition of the subsequent Acts to the Session of the 17th and 18th of King *Charles* the Second inclusive: from which Time to the Revolution, no Parliament was held in *Ireland*. To this Impression was annexed a thin and incompleat Index. And it has been since reprinted, in 1723, without any Additions.

THE several Acts which passed in the Reigns of King *William* and Queen *Mary*, and those of Queen *Anne* and the succeeding Kings, were printed by the King's Printers, at the Close of each respective Session; in different Volumes, of different Sizes, and in different Types, without Indexes, or any Aid to find the Contents or even the Titles, but by inspecting the Volumes of the Sessions in which they passed: which Volumes were become too numerous for Use; and even those so dispersed, that at present, compleat Sets are with Difficulty to be procured, to answer the Purposes of Justice, especially at the Assises held in the several Counties.

TO THE READER.

THESE Considerations, it is presumed, induced the House of Lords to address His Excellency the Earl of *Hallifax*, then Lord Lieutenant of *Ireland*, by their Resolution of the 20th of *April* 1762, to give Directions, “ That the STATUTES *at large* of this Kingdom be forthwith printed and published, under the Inspection of the Lord Chancellor and Judges; and that as an Encouragement to the Printer, a copy thereof be given to each Member of both Houses of Parliament.” In consequence whereof, His Excellency, by His Order dated the 27th of *April* 1762, directed *Hugh Boulter Primrose Grierison* His Majesty’s Printer General in this Kingdom, to Print and Publish the said STATUTES *at large*, under the Inspection of the Lord Chancellor and Judges; and to cause a Copy thereof to be given to each Member of both Houses of Parliament.

WHICH Order being signified to the Lord Chancellor and Judges, they were pleased to approve of a Specimen of the Paper, Size, and Type, to be made Use of on the Occasion; and their Lordships were farther pleased to honour the Editor with their Appointment to carry their Directions into Execution.

THE Acts as before printed by the King’s Printers, having received the Sanction of the Courts of Justice as the Statute Law of *Ireland*; the Editor considered them as authentic, and made them the Copy from which He printed, without variation, save that where He, on reading, apprehended Errors of the Press, He had recourse occasionally to the Records now in the Office of the Rolls, and from thence rectified those Errors; the collating them at large being thought needless, and rather a Matter of Curiosity, which would have been attended with very great Expence.

THE Statutes in this Collection are ranged in Order of Time, including all whose Titles are mentioned in any of the former printed Statutes, though not there printed at large; distinguishing, however, the Acts or Parts of Acts expired or repealed, by a smaller sized Type; except in some few Instances where Acts have been repealed in Part, of which due Notice is given in the Margin.

THE Acts, whereof the Titles only were mentioned in the Statutes of former Impressions, have been copied at large, for this Work, from the original Records. Some Instances there may be of Rolls, before the Reign of Queen *Elizabeth* (but not since) with the Titles of Acts of Parliament not before printed, which the Editor did not think himself authorized to insert as Part of the Statutes of *Ireland*; they never having received the Sanction of being printed by Authority or even mentioned in any Statute so printed, nor authenticated by judicial Determinations.

TO THE READER.

THE Editor was aware, that the inserting expired or repealed Acts at large, would increase the Bulk of this Collection: But it is hoped, the Publick will dispence with that Inconvenience, as they may afford Light and be useful for the Construction of subsisting Laws; and will remain curious and authentic Documents in the Publick History of this Kingdom.

IT has been usual, especially of late Years, to insert in the same Act different Matters not expressed in the Title of such Act. This has been the Case particularly in those intituled *Acts for Amendment of the Law*; which has rendered it difficult to find the several Clauses when wanted. To remedy such Inconvenience, the Editor has, besides the General Index, added, but in a different Character, to the Table of the Titles of those Acts, the different Matters therein contained.

INDEXES are absolutely necessary to Works of this Kind: the Editor has therefore endeavoured to make His General Index to this collection useful and compleat.

THE *Acts of Settlement and Explanation*, though relating to a great Part of the landed Property in *Ireland*, may be considered as a separate *Code* of Laws, and as such rather to be consulted on particular Occasions, than as Part of the General Statute Law. The Editor has therefore added a separate Index for the reader turning to the several Matters contained in those Acts.

THE short Abstracts and References in the Margin, will, it is hoped, be found accurate: and, upon the whole, the Editor is not conscious of having omitted any Care or Pains in Discharge of the Trust he has been honoured with; and hopes this will, upon Perusal, be found a correct and useful Edition of *The STATUTES at large*, agreeable to the Intention of that respectable Authority, at whose Desire this Work was ordered and undertaken.

✍ The Corrector of the present Edition, has, at the beginning of the Eighth Volume, (which contains an Index to the whole Work,) given an Account of such Alterations or Additions, as have been found necessary in the Prosecution of so variable a Work; and an Explanation of the Method he has pursued in forming the Index; which he hopes will meet the Approbation of the Publick in general, and of the Bar in particular, for whose Convenience it is principally adapted.

TO THE READER.

The Editor was aware that the edition required for the present Age, as
it would increase the bulk of this Edition, and as it is hoped, the
first with which the present Age, as it were, would be
be added for the convenience of the reader, and will contain
and authentic documents in the history of the Revolution.

It has been usual, especially of late years, to limit in the same
edition matters not contained in the first or second Age. This has been
the case particularly in those editions which have been published of the
history of the Revolution, so that the reader is obliged to purchase
two or three volumes, the Editor has, besides the General Index, added, in
a separate Chapter, to the Index of the first Age, the different
Matters therein contained.

Indexes are absolutely necessary to Works of this kind; the Editor
has therefore endeavored to make this General Index to this Edition useful
and complete.

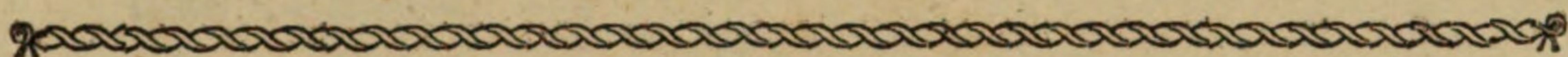
The Act of Settlement and Explanation, though relating to a great part
of the English Property in Ireland, may be considered as a separate Act of
Law, and as such rather to be consulted on particular Occasions, than as
part of the general History of the Revolution. The Editor has therefore added a separate
Index for the reader relating to the several Matters contained in this
Act.

The short Abstracts and References in the Margin, will, it is hoped, be
found accurate; and, upon the whole, the Editor is not conscious of having
omitted any Case or Point in Discharge of the Trust he has been honoured
with; and hopes this will, upon scrutiny, be found a correct and useful
Edition of the Statutes at large, agreeable to the intention of the
respective Assembly, at which Dublin this Work was ordered and under-
taken.

The Contents of the present Edition, but at the beginning of the History
Volume, (which contains an Index to the whole Work,) gives an Account of
the different or additional, as have been found necessary in the Progress
of the work, and an Explanation of the Method he has pursued in
forming the Index; which he hopes will meet the approbation of the Public in
general, and of the Bar in particular, for whose Convenience it is prin-
cipally adapted.



THE
C O N T E N T S
OF THE
F I R S T V O L U M E.



The Third Year of *Edward II.*

C H A P. I.

AN Act to restrain great Lords from taking of Prises, lodging or sojourning against the Will of the Owner. Page 1

C H A P. II.

An Act against the keeping of idle Men and Kearns in Time of Peace. 2

C H A P. III.

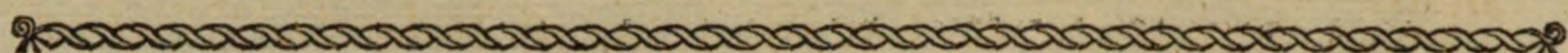
An Act against giving of Protections. *ibid.*

C H A P. IV.

An Act against fraudulent Conveyances. *ibid.*

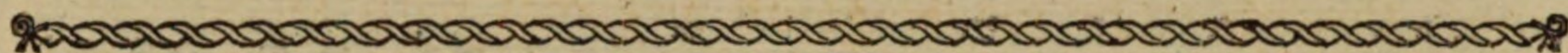
C H A P. V.

An Act that Justices of Assize shall deliver Estreats into the
Exchequer. Page 2

The Seventh Year of *Henry VI.*

C H A P. I.

An Act for the Additions of Jurors. 3

The Eighteenth Year of *Henry VI.*

C H A P. I.

An Act against the Extortion of Purveyors and Harbengers.
ibid.

C H A P. II.

An Act that such as put themselves into Comrick, or that do
take any to Comrick, shall be Traytors, and the Comrick
Treason. 4

C H A P. III.

An Act that no Lord or other shall charge the King's Subjects
with Horses, Horsemen or Footmen without their good
Wills; the Offender a Traytor. *ibid.*

C H A P. IV.

An Act that no Protection (*quia profecturus*) shall be granted
before that the Party make Oath the Cause containeth
Truth, &c. *ibid.*

The Twenty fifth Year of *Henry VI.*

C H A P. I.

An Act that the King's Officers may travel by Sea from one Place to another, within the Land of Ireland. Page 5

C H A P. II.

An Act that the King's Subjects or Officers in Ireland may be absent by the Commandment of the King, or of the Governor, or of the Council, without Seifure of their Lands, Rents, Benefices, or Offices, &c. 6

C H A P. III.

An Act that none shall take Custom but within Cities, Burroughs, or Merchant Towns, where there is Authority to take Customs. *ibid.*

C H A P. IV.

An Act that he that will be taken for an Englishman shall not use a Beard upon his upper Lip alone; the Offender shall be taken as an Irish Enemy. 7

C H A P. V.

An Act that if any Irish Enemy received to the King's Allegiance shall be found after to rob, spoil and destroy the liege People, it shall be lawful to every liege Man to do with him and his Goods, as to a Man that never was become liege. *ibid.*

C H A P. VI.

An Act against clipped Money, Money called O Reyle's Money, and other unlawful Money, and against gilt Bridles, Peytrels, and other gilt Harnes. *ibid.*

C H A P. VII.

An Act that the Sons of Labourers and Travailers of the Ground as Plowmen, and such other, shall use the same Labours and Travails that their Fathers and Parents have done. 8

C H A P.

C H A P. VIII.

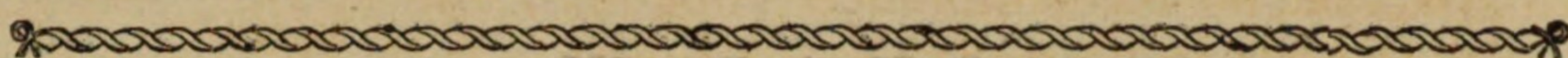
An Act that no Lord of Parliament shall be amerced in Plees real or personal, otherwise than another Person. Page 8

C H A P. IX.

An Act concerning Absentees. 9

C H A P. X.

An Act restraining the Transportation of Bullion. *ibid.*

The Twenty eighth Year of *Henry VI.*

C H A P. I.

An Act that no Marchour nor other Man shall keep more Horsemen or Footmen than they shall answer for and maintain upon their own Charges and their Tenants, and for presenting the Names of their Men, and that none shall take Coynee, Cuddies, or Night Suppers, nor shall take no Pledges of them; the Offenders shall be Felons, &c. 10

C H A P. II.

An Act that upon Accusations made, the Accuser shall find sufficient Surety for the Damages of the Party accused, if it shall be adjudged against the Accuser, and for Remittal of the Accusation to the ordinary Judge, as the Nature of the Cause shall require. 11

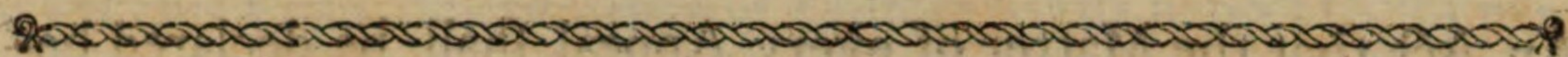
C H A P. III.

An Act that it shall be lawfull to every liege Man to kill or take notorious Thieves, and Thieves found robbing, spoiling, or breaking Houses, or taken with the Manner. 12

C H A P.

C H A P. IV.

An Act that the Chancellor, Justices, or Barons, or their Ministers, shall mark forth no Writs of Priviledge but only for the Ministers or Servants continually attendant upon them. Page 12



The Twenty eighth Year of *Henry VI.*

C H A P. I.

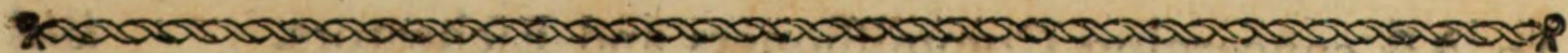
An Act that no Remembrancer, nor his Deputy, shall cause any Proceſs to be made againſt any that hath Diſcharge of Record in the Exchequer. 13

C H A P. II.

An Act that no Commiſſion ſhall be made out of the Chancery to enquire, hear, and determine, or to enquire, hear, and certifie in the Counties of Dublin, Kildare, Meith, and Uriel, of Treasons, Felonies, or Goods of Felons, and Men Out-lawed, and other Offences, but that the Chancellor or Treafurer, or Juſtices of the one Bench or other, or Barons of the Exchequer, the King's Serjeant or Attorney, or one of them, ſhall be in the Commiſſion and of the *Quorum*, and preſent at Time of ſuch Inquiſition taken. 14

C H A P. III.

An Act that none ſhall ſell Wine, Ale, or any other Liquor, within any City or Town franchiſed, but with the King's Meaſure ſealed, that is to ſay, the Gallon, the Pottle, the Quart, the Pint, or the half Pint. *ibid.*



The Thirty ſecond Year of *Henry VI.*

C H A P. I.

An Act that all Statutes made againſt Proviſours, aſwell in England, as in Ireland, ſhall be had and kept in Force. 15

C H A P. II.

An Act for Discharge of the Jurors in Inquisitions upon Sight of the Bodies before Coroners, being at two several Days sworn, that they do not know the Felon. Page 16

C H A P. III.

An Act that the Matter of every Appeal shall be declared before the Governour and Council; and if the Matter do not touch the King's Person, then the Appeal shall be sent to the King's Bench to be determined as Law will. *ibid.*

The Thirty third Year of *Henry VI.*

C H A P. I.

An Act whereby Commissioners are prohibited to award Exigents. 17

C H A P. II.

An Act that the Recorders or Clerks of Dublin and Drogheda shall have but Two Pence for the Copy of a Plaint. *ibid.*

C H A P. III.

An Act that every Man shall answer for his Son and waged Men. 18

C H A P. IV.

An Act concerning Commissioners and Escheators. *ibid.*

The Thirty fifth Year of *Henry VI.*

C H A P. I.

An Act that Frenchmen, Spaniards, Britons, Portingales, and other Nations, coming out of other Lands with Merchandises, shall pay for every Pound of Silver that they carry out of this Land, Forty Pence of Custom to the King's Customer.

Page 19

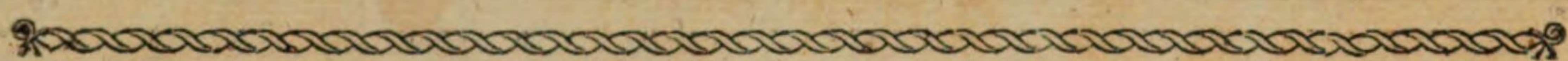
C H A P. II.

An Act that every Man shall answer for the Offences of his Sons, as the Offender ought to do, saving Punishment of Death.

ibid.

C H A P. III.

An Act that Persons not amesnable to the Law, shall not enter, distrain, rob, threaten, or kill any Tenants for any Lands or Tenements, contrary to the common Law, but shall first shew their Title to the Governour and Council, and thereupon have Licence to distrain or enter in peaceable Manner. 20



The Thirty sixth Year of *Henry VI.*

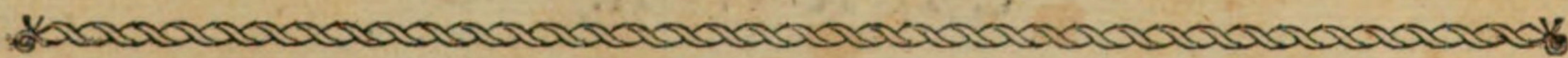
C H A P. I.

An Act that beneficed Persons shall keep Residence.

21

C H A P. II.

An Act concerning the inclosing of Towns and Villages. *ibid.*



The Thirty seventh Year of *Henry VI.*

C H A P. I.

An Act that Warrants made to the Great Seal shall have the Day of their Delivery to the Chancellor, &c. entered, and that the Patents shall bear the Date of that Day.

22

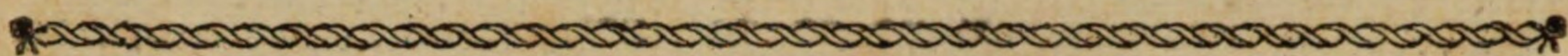
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The

The Thirty eighth Year of *Henry VI.*

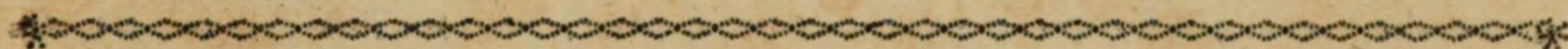
C H A P. I.

An Act that none shall sue Actions in the Exchequer, unless the Plaintiff be Minister to the Exchequer, or Servant to any Minister of Record of the Exchequer, upon Pain of Ten Pounds. Page 23

The Second Year of *Edward IV.*

C H A P. I.

An Act that certain Money shall be received of the Issues and Profits of the Courts for the repairing of the Hall of the Castle. 24

The Third Year of *Edward IV.*

C H A P. I.

An Act whereby the Lords and Commons of the Parliament hath Priviledge for certain Days before and after the said Parliament. 25

C H A P. II.

An Act what Fees, Attornies in the King's Courts shall take, and what Fees shall be paid for Writs and other Records. 26

C H A P. III.

An Act against clipped Money. 27

The

The Fifth Year of *Edward IV.*

C H A P. I.

An Act that like Challenges shall be made touching the Feoffee, to Use as should be touching him to whose use he standeth infeoffed. Page 27

C H A P. II.

An Act that it shall be lawfull to kill any that is found robbing by Day or Night, or going or coming to rob or steal having no faithfull Man of good Name or Fame in their Company in English Apparel, &c. 28

C H A P. III.

An Act that the Irishmen dwelling in the Counties of Dublin, Myeth, Uriel, and Kildare, shall go apparelled like Englishmen, and wear their Beards after the English Manner, swear allegiance, and take English Surname. 29

C H A P. IV.

An Act that every Englishman and Irishman that dwelleth with Englishmen, and speaketh English, betwixt sixty and sixteen in Years, shall have an English Bow and Arrows. *ibid.*

C H A P. V.

An Act for having a Constable in every Town, and a pair of Butts for shooting, and that every Man between sixty and Sixteen shall shoot every Holy-day at the same Butts. 30

C H A P. VI.

An Act that no Ship, or other Vessel, of any Forraign Country shall go to fishing in the Irish Countries, and for Custom, to be paid of the Vessel that cometh from Forraign Lands to fishing. *ibid.*

x C O N T E N T S

The Seventh Year of *Edward IV.*

C H A P. I.

An Act that the Governour for the Time being may pass
into Islands. Page 32

C H A P. II.

An Act that none shall purchase Benefices from Rome. *ibid.*

C H A P. III.

An Act, whereby Letters Pattents of Pardon from the King
to those that sue to Rome for certain Benefices, is void. 33

C H A P. IV.

An Act for the removing of the Exchequer and Common
Pleas. *ibid.*



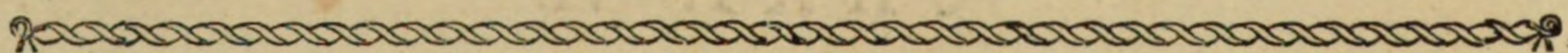
The Eighth Year of *Edward IV.*

C H A P. I.

An Act concerning Rape. 34

C H A P. II.

An Act against Ingrossers and Regrators of Corn. 35



The Twelfth Year of *Edward IV.*

C H A P. I.

An Act for prohibiting Staple Wares to be carried into
Scotland without paying Custom. 35

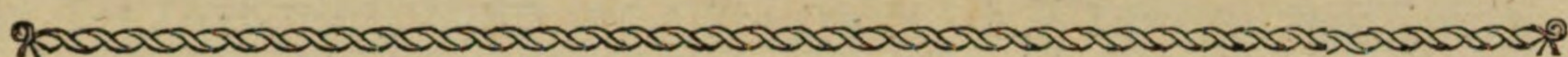
C H A P.

VI C H A P. II.

An Act for bringing Bowes into this Realm from the Realm
of England, by Merchants and others. Page 36

C H A P. III.

An Act that no Grain be laden out of the Realm, unless the
same be at a certain price. 37



The Fifteenth Year of *Edward IV.*

C H A P. I.

An Act prohibiting Distresses to be taken contrary to the
Common Law. 37



The Eighteenth Year of *Edward IV.*

C H A P. I.

An Act whereby Distresses taken for Rent may be Sold. 38

C H A P. II.

An Act concerning the choosing of Knights and Burgeſſes
of Parliament. 39

C H A P.

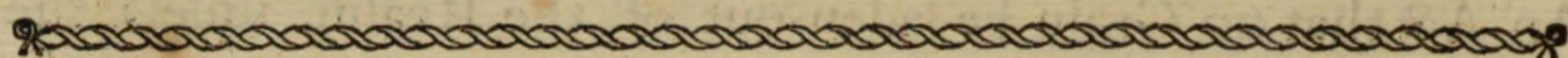
The Twentieth Year of *Edward IV.*

C H A P. I.

An Act to restrain the carrying of Hawkes out of this Kingdom.

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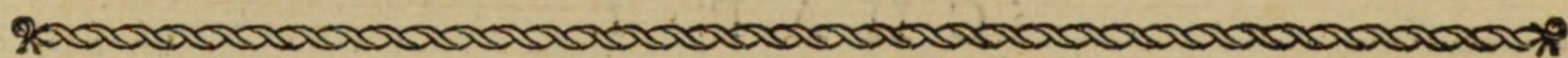
Page 40

The Eighth Year of *Henry VII.*

C H A P. I.

An Act for the cleansing of the Water-courfe in St. Patrick's street.

40

The Tenth Year of *Henry VII.*

C H A P. I.

An Act authorizing the Treasorer to make all Officers as the Treasorer of England doth.

41

C H A P. II.

An Act that the Chancellour and Treasorer, Judges of the King's Bench and Common Place, the Chief and second Baron of Exchequer, the Clerk or Master of the Rolls, and all Officers, Accomptants, to have their Offices but onely at the King's Will and Pleasure.

42

C H A P. III.

An Act adnulling a Prescription which Traytors and Rebels claimed within this Land.

43

C H A P. IV.

An Act that no Parliament be holden in this Land, until the
Acts be certified into England. Page 44

C H A P. V.

An Act against Provifors to Rome. 45

C H A P. VI.

An Act that no Citizen receive Livery or Wages of any Lord
or Gentleman. *ibid.*

C H A P. VII.

An Act that none be admitted Alderman, Juror, or Freeman
in no Town; but if he have been Prentice or Inhabitant
in the fame. 46

C H A P. VIII.

An Act for the Confirmation of Statutes of Kilkenny. 47

C H A P. IX.

An Act that the Subjects of this Realm, shall have Bows and
other Armour. 48

C H A P. X.

An Act that the Captains of the Marches do certifie the
Names of fuch as they have in their Retinue. 49

C H A P. XI.

An Act that no Person take any Money or Amends for the
Death or Murder of his Friend or Kinsman, other than
the King's Laws will. 50

C H A P. XII.

An Act no great Ordnances be in no Fortrefs but by Licence
of the Deputy. *ibid.*

C H A P. XIII.

An Act that no Person stir any Irishry to make War. Page 51

C H A P. XIV.

An Act that one Born in the Realm of England to be Constable of Dublin, Trim, Leixlip, Athlone, Wicklowe, Green-Castle, Carlingford and Gragfergouse. *ibid.*

C H A P. XV.

An Act touching the keeping of Records of the Earldomes of Marche, Connaght, Trym, and Ulster. *ibid.*

C H A P. XVI.

A Statute for the Lords of the Parliament to Wear Robes. 52

C H A P. XVII.

An Act that no Peace, ne War, be made with any Man without Licence of the Governour. 53

C H A P. XVIII.

An Act for Exterpation of a new maner of Coyn and Livery, upon Pains comprized in the Statute of Kilkeny. 54

C H A P. XIX.

An Act declaring a Rate what Souldiers shall pay for their Meat and Drink, in Time of Hostility. *ibid.*

C H A P. XX.

An Act abolishing these Words *Cromabo* and *Butlerabo*. 55

C H A P. XXI.

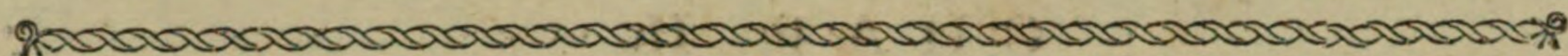
An Act whereby Murder of Malice pretended is made Treason. 56

C H A P. XXII.

An Act confirming all the Statutes made in England. Page 56

C H A P. XXIII.

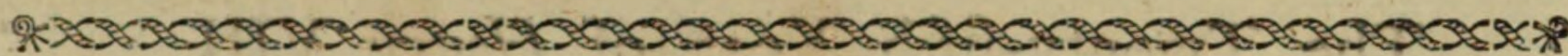
An Act repealing a Parliament holden at Drogheda, before
Robert Prestone, Lord of Gormanstowne. 57



The Fourteenth Year of *Henry VII.*

C H A P. I.

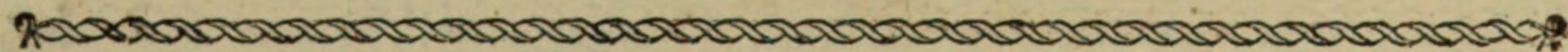
An Act for punishing of Customers, &c. for their Misdemeanors.
57



The Fifteenth Year of *Henry VII.*

C H A P. I.

Twelve Pence levied by the King out of every twenty
Shillings Worth of Wares brought into Ireland, Wine
and Oyl only excepted. 58



The Seventh Year of *Henry VIII.*

C H A P. I.

An Act for and against such as sue Letters under the Privy
Seal out of England. 58

The Thirteenth Year of *Henry VIII.*

C H A P. I.

An Act for Burning Corn as well in Recks in the Fields, as
in Villages and Towns. Page 60

C H A P. II.

An Act against lading Wools and Flocks. 61

C H A P. III.

An Act touching Jurors to pass in Attaint. *ibid.*

The Twenty-fifth Year of *Henry VIII.*

C H A P. I.

An Act for Lezers of Corn. 62

C H A P. II.

An Act for the Uniting and Appropriation of the Parsonages
of Galtrime to the Priory of St. Peter's by Trimme. 63

The Twenty-eighth Year of *Henry VIII.*

C H A P. I.

An Act for the Attainder of the Earl of Kildare and Others. 66

C H A P.

C H A P II.

An Act for the Succession of the King and Queen Anne.
Page 76

C H A P. III.

The Act of Absenties. 84

C H A P. IV.

The Repeal of Poyning's Act. 89

C H A P. V.

An Act authorizing the King, his heirs and successors, to be
supreme Head of the Church of Ireland. 90

C H A P. VI.

An Act of Appeals. 91

C H A P. VII.

An Act of Slander. 93

C H A P. VIII.

An Act for First Fruits. 96

C H A P. IX.

An Act of Delahydes Lands in Carbrie. 100

C H A P. X.

An Act how Persons robbed shall be restored to their Goods.
101

C H A P. XI.

An Act restraining Tributes to be given to Irishmen. 102

C H A P. XII.

An Act against Proctors to be any Member of the Parliament. Page 102

C H A P. XIII.

An Act against the Authority of the Bishop of Rome. 104

C H A P. XIV.

An Act for the Twentieth Part. 110

C H A P. XV.

An Act for the English Order, Habite and Language 119

C H A P. XVI.

An Act for the Suppression of Abbyes. 127

C H A P. XVII.

An Act for lading of Wool and Flockes. 132

C H A P. XVIII.

An Act for the prooffe of Testaments. 133

C H A P. XIX.

The Act of Faculties. 142

C H A P. XX.

An Act declaring the Effect of Poyning's Act. 157

C H A P. XXI.

An Act of Penal Statutes. 160

C H A P. XXII.

An Act for the Weares upon the Barrow and other Waters
in the County of Kilkenny. 161

C H A P. XXIII.

The Act for the Parsonage of Dungarvane. 166

C H A P. XXIV.

The Act for Leafers of Corn. 168

C H A P. XXV.

The Act of Leafes. 169

C H A P. XXVI.

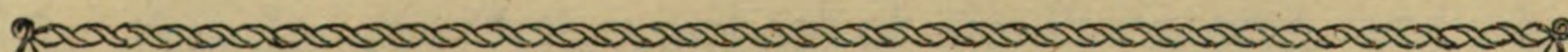
An Act for the First Fruites of Abbeyes, Priories, and Col-
ledges. 171

C H A P. XXVII.

¶ An Act of Subsidie. [X x 2, X x 3] 1

C H A P. XXVIII.

¶ An Act for marrying with Irishmen. [X x 4] 5



The Thirty third Year of *Henry VIII.*

C H A P. I.

An Act that the King and His Successors, to be Kings of
Ireland. 176

C H A P. II.

An Act for Gray Merchants. Page 178

C H A P. III.

An Act that the Plaintife may abridge his Plaint in Affize. 179

C H A P. IV.

An Act that the Confanguinitie or Affinitie, being not within the fifth Degree, fhall be no principal Challenge. *ibid.*

C H A P. V.

An Act that maketh it Felony to any Man to run away with his Masters Casket. 180

C H A P. VI.

An Act for Marriages. 181

C H A P. VII.

An Act for all Lords to Diftraine upon the Lands of them holden, and to make their Avowrie, not naming the Tenant but the Land. 183

C H A P. VIII.

An Act for Capacities. 184

C H A P. IX.

An Act for Servants Wages. 185

C H A P.

CHAP. X.

An Act for Jointenants. Page 186

CHAP. XI.

An Act for Recoverie in avoyding Leafes. 188

CHAP. XII.

An Act for Tythes. 189

CHAP. XIII.

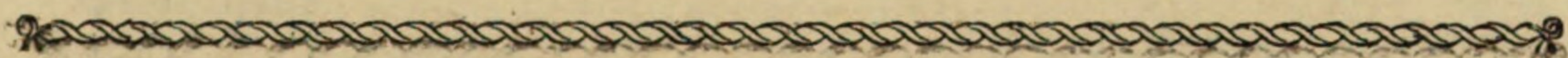
An Act for Attournements. 192

CHAP. XIV.

An Act for erecting of Vicarages. 193

CHAP. XV.

An Act for Vagabonds. 195



The Thirty third Year of *Henry VIII.* Sess. 2.

CHAP. I.

An Act for the Adjournment of the Parliament, and the Place to hold the same, and what Persons shall be chosen Knights, and Burgessees. 205

CHAP. II.

An Act for the Election of the Lord Justice. 207

CHAP. III.

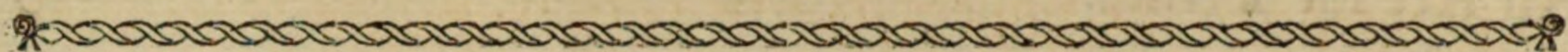
An Act touching Mispleading and Jeoyfailes. 209

C H A P. IV.

An Act for Lands given by the King. Page 211

C H A P. V.

An Act for the Suppression of Kylmaynham and other religious Houses. 213

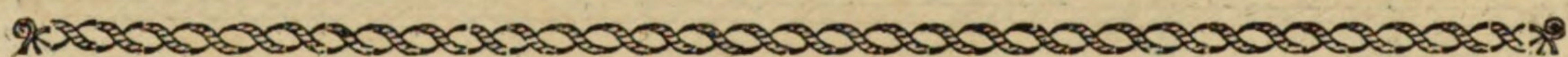
The Thirty fourth Year of *Henry VIII.*

C H A P. I.

An Act for the Division of Methe in two Shires. 232

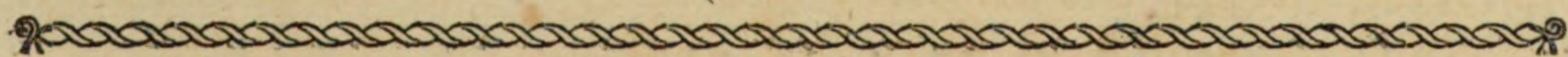
C H A P. II.

An Act that for Persons standing bound in any Court for their Appearance, and being in Service to be discharged, by Writt. 235

The Thirty fourth Year of *Henry VIII.* Sess. 2.

C H A P. I.

An Act touching the Mannour and Castle of Dongarvan. 237

The Third and fourth Years of *Philip and Mary.*

C H A P. I.

An Act for the Disposition of Leixe and Offaile. 240

C H A P.

C H A P II.

An Act whereby the King and Queen's Majesties, and the Heires and Successours of the Queen, be entituled to the Countries of Leix, Slumarge, Irry, Glinmaliry, and Offaily, and for making the same Countries Shire Grounds.
Page 241

C H A P. III.

An Act to convert and turne divers and fundry waste Grounds into Shire Grounds. 244

C H A P. IV.

An Act declaring how Poynings shall be expounded and taken. 246

C H A P. V.

An Act against Corfers and idle Men. 248

C H A P. VI.

An Act that the Owners of Goods stolen may be restored thereunto. 249

C H A P. VII.

An Act against making of *Aqua-vitæ*. 250

C H A P. VIII.

¶ An Act repealing Estatutes, and Provisions made against the See Apostolike of Rome, sithence the twentieth Year of King Henry the Eighth, and also for the Establishment of Spiritual and Ecclesiastical Possessions and Hereditaments conveyed to the Laity. 251

C H A P. IX.

¶ An Act for reviveinge of three Statutes made for the Poyntement of Heresies. 266

C H A P. X.

- ¶ An Acte for the Discharge of the First Fruites. Page 266

C H A P. XI.

- ¶ An Act whereby certein Offences be made Treasons; and alsoo for the Government of the King and Queen's Majestie's Yssue. 273

C H A P. XII.

- ¶ The Acte of Subsidye. [Z z z 3] 3

C H A P. XIII.

- ¶ An Acte declarynge the Queen's Highnes to have bene borne in a mooste just and lawful Matrimony, and alsoo repealinge all Actes of Parliament and Sentences of divors had and made to the contrarie. [Z z z 4] 6

C H A P. XIV.

- ¶ An Acte declarynge that the regall Power of this Realme is in the Queene's Majestie, as fullie and absolutlie as ever it was in any of her moost noble Progenitours, Kynges of this Realme. [Z z z 5] 8

C H A P. XV.

- ¶ An Acte against bringynge in of Scotts, reteyninge of theym, and marrieng with theym. [Z z z 6] 9

The second Year of *Elizabeth.*

C H A P. I.

- An Act restoring to the Crown, the auncient Jurisdiction over the State Ecclesiasticall and Spiritual, and abolishing all forreine Power repugnant to the same. 275

C H A P.

C H A P. II.

An Act for the Uniformitie of Common Prayer and Service in the Church, and the Adminiſtration of the Sacraments.

Page 284

C H A P. III.

An Act for the Reſtitution of the Firſt Fruits and xx. Part, and Rents reſerved *nomine* x. or xx. and of Parſonages impropriate to the Imperiall Crowne of this Realm.

291

C H A P. IV.

An Act for the conferring and confeſcrating of Archbiſhops and Biſhops within this Realme.

300

C H A P. V.

An Act of Recognition of the Queen's Highneſſe title to the Imperial Crowne of this Realme.

302

C H A P. VI.

An Act whereby certain Offences be made Treafon.

304

C H A P. VII.

An Act for the Reſtitution of the late Priorie or Hoſpitall of St. Johns Jeruſalem in Ireland, and of all the Mannours, Lordſhips, Commaundries, and Hereditaments of the ſame, to the Imperiall Crowne of this Realme.

306

The Eleventh Year of *Elizabeth*.

C H A P. I.

The Act of Subsidie granted to the Queen's Majestie. Page 313

C H A P. II.

An Act for the Limitation of Places for tanning of Leather. 316

C H A P. III.

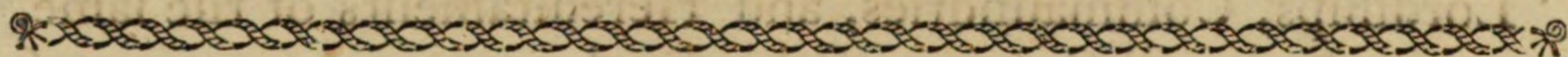
An Act confirming the Queen's Title, and the Interest of Patentees, in the Landes of late belonging to Christopher Ewstace and others. *ibid.*

C H A P. IV.

An Act that five Persons of the best and eldest of every Nation amongst the Irishrie, shall bring in all the idle Persons of their Surname, to be justified by Law. 319

C H A P. V.

An Act for revyving the Statute against gray Merchants; the Statute for Servants Wages, and the Statute of Jeofailes. *ibid.*

The Eleventh Year of *Elizabeth*. Seff. 2.

C H A P. I.

An Act authorising Statutes, Ordinances, and Provisions to be made in this present Parliament concerning the Government of the Common Weale, and the Augmentation of her Majestie's Revenues, notwithstanding Ponynge's Act. 320

The Eleventh Year of *Elizabeth*. Seff. 3.

C H A P. I.

An Act for the Attainder of Shane Oneile, and the extinguishment of the Name of Oneile, and the entitling of the Queen's Majestie, her Heyers and Successours to the Country of Tirone, and to other Countries and Territories in Ulster. Page 322

C H A P. II.

An Act for making of the Trinitie Term shorter, and for the Commencement thereof. 338

C H A P. III.

An Act intitling the Queen's Majestie, her Heires and Successours to Thomas, Knight of the Valey's Lands in Mounster. 340

C H A P. IV.

An Act for the Preservation of Salmon Frie and Ele Frie. 341

C H A P. V.

An Act against laying of Hemp, Flax, and lymed Hydes in any fresh Waters or Rivers. 343

C H A P. VI.

An Act authorising the Governour for ten Years to come, to present to the Dignities of Mounster and Connaght. 344

C H A P. VII.

An Act for taking away Captainships, and all Exactions belonging thereunto from the Lords and great Men of this Realm. 345

C H A P. VIII.

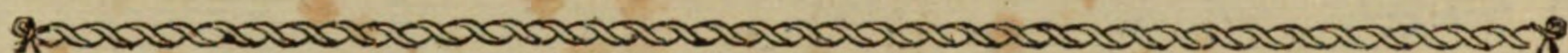
An Act that there be no Bill certified into England, for the Repeal or suspending of the Statute, past in Poynings Time, before the same Bill be first agreed on, in a Session of a Parliament holden in this Realm, by the greater Number of the Lords and Commons. Page 346

C H A P. IX.

An Act for turning of Countries that be not Shire Grounds into Shire Grounds. 347

C H A P. X.

An Act for the staying of Wooll, Flocks, Tallow, and other Necessaries within this Realm. 349



The Eleventh Year of *Elizabeth*. Seff. 4.

C H A P. I.

An Act giving Order for bringing in of Wines into this Realm, where they shall be discharged, who shall rate the Prices of them, and also for Graunt of a Custom out of the same Wines. 353

C H A P. II.

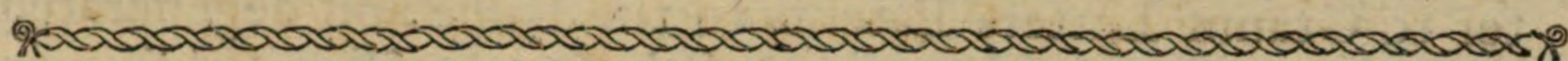
An Act for restoring the Earl of Kildare, his Brother and Sisters, to their blood. 356

The

The Second Year of *Elizabeth*.

C H A P. VIII.

- ¶ An Acte for Proclamation to be made that Sir Ofwald Mes-
singberde, Knight, late Prior of Sainte John's Jerusaleme,
shall make his Appearance before the Lorde Deputie and
Counsaill, or Els to be attainted of High Treason. Page 358



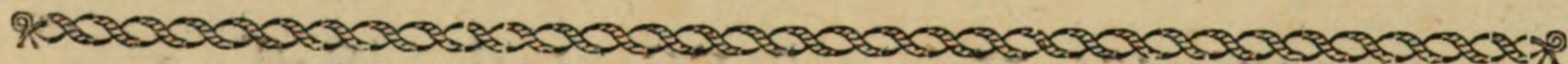
The Eleventh Year of *Elizabeth*. Seff. I.

C H A P. VI.

- ¶ An Act Prohibitinge any Irishe Lorde or Captaine of this
Realme to foster to any of the Lords of the same Realme.
359

C H A P. VII.

- ¶ An Acte that the Acte of retayninge of Scotts shall not
extende to the Governours of this Realme. *ibid.*



The Twelfth Year of *Elizabeth*.

C H A P. I.

- An Act for the Ereccion of Free Schooles, 361

C H A P. II.

- An Act that Exemplifications shall be of the same Effect and
Strength as the Record or Matter exemplified should be.
362

C H A P. III.

An Act for the establishing the Standard of Measures for
Corne, within certain Shires of this Realme. Page 363

C H A P. IV.

An Act authorising the Governour for the Time being, by
the Advice of the more Part of the Privie Councell, and
upon Her Majesties Pleasure signified by Instruction or Let-
ter to Graunt Letters Patents to the Irishe and degenerated
Men of the English Name, of their Lands, &c. yeelding to
Her Majestie, Her Heyres and Successors, certaine Reserva-
tions, &c. 367

C H A P. V.

¶ An Acte for the Attaynder of such as be or shall be indited
of Highe Treason or Petit Treason, committed or to be
committed from the first of April, One thousand five hun-
dred sixtie nine, to the last of April, One thousand five
hundred seaventie one, yf thei shall not yelde their Bod-
dies, &c. 369

The Twelfth Year of *Elizabeth*. Seff. 2.

C H A P. I.

An Act for the Attayndour of Thomas Queverford, late of
Balymaka. 374

The Thirteenth Year of *Elizabeth*.

C H A P. I.

An Act that such Cloth and Stuffe as shall be wrought of the Wooll, Flockes, Lynnen Yearne, Woollen Yearne, sheepfell, Calfell, Goatfell, Red Deerefell, or Fallow Deerefell, within this Realm, shall be Transported for Merchandize onely by the Merchants within everie Staple Citties, and Townes of this Realm, and by the Free Merchants of the Borroughs and priviledged Townes, and by none other. Page 376

C H A P. II.

An Explanation of the Act made in a Cession of this Parliament for the Staying of Wooll, Flockes, Tallow, and other Wares and Commodities mentioned in the said Act, and certaine Articles aded to the same Act. 380

C H A P. III.

An Act for the Attainder of John Fitz Geralde, called in his Life Time the White Knight, otherwise called John Oge Fitz John Knight Fitz Gybbons. 387

C H A P. IV.

An Act Authorising the Primat of Ardmagh to Set his Landes and Possessions in the Irish Pale for Years, without the Assent of his Chapter. 389

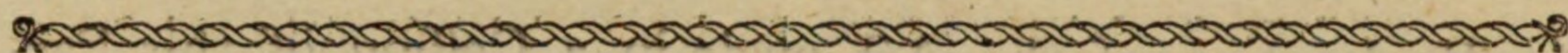
The Twenty-seventh Year of *Elizabeth*.

C H A P. I.

An Act for the Attainder of James Eustace, late Viscount of
Baltinglas, and others. Page 391

C H A P. II.

An Act for the Restitution of Bloud of Laurence Delahide.
398

The Twenty-eighth Year of *Elizabeth*.

C H A P. I.

An Act concerning willfull Perjurie 400

C H A P. II.

An Act against Witchcraft and Sorcerie. 403

C H A P. III.

An Act against Forging of Evidences, &c. 405

C H A P. IV.

An Act of Impost and Customes of Wines. 410

C H A P.

C H A P. V.

¶ An Act concerning the avoyding of fraudulent Conveyances, made by the late Rebels in Ireland. Page 415

C H A P. VI.

An Act against forging and counterfeyting of Forrein Coyne. 417

C H A P. VII.

An Act for the Attaindor of the late Earl of Desmond, and others mentioned in this Act. 418

C H A P. VIII.

An Act for the Attaindour of John Browne of Knockmonhie, and others mentioned in this Act. 422

C H A P. IX.

An Act for the Restitution in Bloud of Taffe's Wife. 429

The Eleventh, Twelfth, and Thirteenth Years of
James I.

C H A P. I.

A most joyfull and just Recognition of His Majestie's law-
full, undoubted, and absolute Right and Title to the
Crown of Ireland. Page 432

C H A P. II.

An Act for punishing of Pirates and Robbers on the Sea.
435

C H A P. III.

An Act for the taking away of Clergie in certaine Cafes of
Felonie, and for Deliverie of Clearkes Convict without
Purgation. 437

C H A P. IV.

An Act for the Attaindour of Hugh late Earl of Tyrone;
Rory late Earl of Tyrconnell; Sir Cahire O Dogherty,
knight; and others. 438

C H A P. V.

An Act of Repeale of diverse Statutes concerning the Na-
tives of this Kingdom of Ireland. 441

C H A P. VI.

An Act for Repeale of one Statute made against bringing in of
Scotes retayning of them, and marrying with them. 443

C H A P.

C H A P. VII.

An Act for repaying and amending of Highways and Calhes,
and cutting or clearing of Paces. Page 444

C H A P. VIII.

An Act for the avoyding of privie and secreet Outlawries of
His Majestie's Subjects in perfonal Actions. 448

C H A P. IX.

An Act for the King's Majestie's most gracious, general, and
free Pardon. 450

C H A P. X.

¶ An Act for the grauntinge of one entire Subsidie by the
Temporaltie. 460

of the first volume

CHAPTER VII

An Act for the better regulation and amendment of Highways and Roads
and cutting or clearing of a way.

CHAPTER VIII

An Act for the better regulation of the Highway and Road
The Magistrate's jurisdiction in relation to the Highway.

CHAPTER IX

An Act for the better regulation of the Highway and Road
The Magistrate's jurisdiction in relation to the Highway.

CHAPTER X

An Act for the better regulation of the Highway and Road
The Magistrate's jurisdiction in relation to the Highway.

A COLLECTION



A
COLLECTION
OF
STATUTES.

Acts and Ordinances in the Parliament of *Kilkenny*,
in *Octabis Purificationis* of the Virgin *Mary*, in the
third Year of the Reign of King EDWARD the
Second, *Anno Domini* 1310.

A. D.
1310.

CHAP. I.

*An Act to restrain great Lords from taking of Prises, lodging, or
sojourning against the Will of the Owner.*

FORASMUCH as merchants and the common people
of this land are much impoverished and oppressed by the
prises of great lords of this land, which take what they
will throughout the country without paying any thing,
or agreeing with the owners for the same; and also forasmuch as
they will sojourn and lodge at their pleasure with the good
people of the country against their wills, to destroy and im-
poverish them: It is agreed and assented, That no such prises be
henceforth made without ready payment and agreement, and that
none shall harbour nor sojourn at the house of any other by such
malice against the consent of him, which is owner of the house, to
destroy his goods; and if any shall do the same, such prises and
such manner of destructions shall be holden for open robbery, and
the King shall have the suit thereof, if others will not nor dare
not sue. *Ir. Stat. 18 H. 6. 3.*

If great lords
take prizes
from the peo-
ple without
ready pay-
ment and a-
greement, or
harbour or
sojourn at
their houses
against their
wills, it shall
be deemed
robbery.

VOL. I.

A

CHAP.



A. D.

1310.

C H A P. II.

*An Act against the keeping of idle Men and Kearns in Time of Peace.*10 & 11 C. 1.
16. Ir.Kearns and
idle persons
not to be kept
in time of
peace, at the
charge of the
tenants or
farmers.And if they
take anything
against any
person's will,
shall be pro-
ceeded against
as robbers.

IT is agreed also, that none shall keep idle people nor kearn in time of peace to live upon the poor of the countrey, but that those, which will have them, shall keep them at their own charges, so that their free tenants, nor farmers, nor other tenants be not charged with them. And if any idle man or kearn take any thing of any person against his will in the form aforesaid, the wardens of the peace, and the sheriff of the county, where such act shall be done, shall do with him as with an open robber, as often as they shall have notice thereof, by indictment, or by the suit of the King or the party. *Ir. Stat. 11 Car. 1. 16. against cosherors, &c.*

C H A P. III.

*An Act against giving of Protections.*None shall
give protecti-
ons but the
King.
Both receiver
and giver shall
be at the
King's will,
except lords
within their
franchises.

IT is agreed also and assented, That no great lord nor any other by dures, manesses, nor otherwise, to have great ransom by such way of extortion, shall not give protections; and that they, that give or receive such manner of protections, other than the King, as well the receiver as the giver shall be at the King's will. Except only the lords, which by reason of their royal franchises may give protections within their franchises. *Ir. Stat. 18 H. 6. 2. against com-
rick.*

C H A P. IV.

*An Act against fraudulent Conveyances.*10 C. 1. 3. Ir.
Feoffments
with intent to
rebel, or com-
mit felony,
void.
28 Eliz. 5. Ir.

IT is agreed and assented, That if any man enfeoffe another of his land with intent to enter into rebellion, or to commit any other felony, and after the felony committed to have again his said land; that such manner of feoffments shall be held for none, but that presently after the felony committed the King shall have the year and the waste of the same tenements; and after the chief lord shall have the same as his escheat, so that the truth of the matter and the manner of the feoffment be first enquired by writ out of the Chancery.

C H A P. V.

*An Act that Justices of Assize shall deliver Estreats into the Exchequer.*Certain jus-
tices of assize
and gaol-deliv-
ery shall be
assigned, who
shall make
estreats of

IT is ordained and provided, That there shall be certain justices assigned to take the assises of *mortdauncestor*, and of *novel disseisin*, in all the counties of Ireland, and to deliver the gaols in the same counties, and that they shall make estreats of the fines and amer- ciaments, chattels of felons, and other manner of profits which ap-
pertain

pertain to the King, throughout their offices, and such estreats shall deliver into the Exchequer twice every year, that is to say, at Easter term and Michaelmas term. *Eng. Stat. 42 E. 3. 9. 7 H. 4. 3.*

A. D.

1310.

finer, &c. and deliver them into the Exchequer.

Statutes and Ordinances enacted in a Parliament holden at *Dublin* the *Friday* next after the Feast of *All Saints* before the right noble and right gracious Lord, Sir *John Sutton*, Knight, Lieutenant of our Sovereign Lord King HENRY the Sixth in *Ireland*, in the seventh Year of his Reign, *Anno Dom. 1429.*

An Act for the Additions of Jurors.

IT is agreed and assented, That in inquests to be taken between the King and the party, and lords of franchises and the party, or between party and party, in the courts of the King, or of any lord of franchise, that additions of their estate, or of their mystery, or of their places, be put in the pannels of the said inquests: And if the sheriffs or other ministers, which have return of writs or warrants, do the contrary, they shall be amerced, and their amer- ciaments shall be assessed and asserred by the discretion of the judges, before whom the said writs and warrants are returned. *Eng. Stat. 27 Eliz. 7.*

A. D.

1429.

Additions to jurors to be put in the pannels on all inquests. Penalty on sheriffs, &c. omitting the same.

Statutes and Ordinances made and established in a Par- liament holden at *Dublin* the *Friday* in the Feast of *St. Dunstone* in the eighteenth Year of the Reign of King HENRY the Sixth before the most reverend Father in God, *Richard*, Archbishop of *Dublin*, Lord Justice of *Ireland*, *Anno Dom. 1440.*

C H A P. I.

An Act against the Extortion of Purveyors and Harbengers. Rotul. Parliament. cap. 5.

FOR that the said land of Ireland is greatly weakened and im- poverished by misgovernance, extortions, and oppressions by the purveyors and harbengers and aveners: That from hence- forth no purveyor, harbenger, nor avener be within the said land, but that the justice of the said land of Ireland that now is, and the lieu- tenants, justices, or governors that for the time shall be, shall pay or agree with them, from whom any goods shall be taken by their acha- tors. And if the said lieutenants, justices, or governors by their achators

A. D.

1440.

No purveyors, &c. shall be allowed in Ire- land, but the governors shall pay or agree for goods taken by their achators.

A. D. 1440. achators do not in the order aforesaid, it shall be lawful to him, whose the goods are, to make resistance to such achators or officers without offence or impeachment of our sovereign lord the King. *Eng. Stat. 28 Edw. 1. 2. 4 Edw. 3. 4. 5 Edw. 3. 2. 10 Edw. 3. Stat. 2. cap. 1. 2 H. 4. 14. 20 H. 6. 8.*

Otherwise resistance law-
ful.
All English Statutes in this behalf to be in force here.

II. It is agreed and established, that all the estatutes in this behalf made within the realm of England be holden and kept in all points, and put in the execution in this land.

C H A P. II.

An Act that such as put themselves into Comrick, or that do take any to Comrick, shall be Traytors, and the Comrick Treason. Rot. Parl. cap. 9.

Comrick
and safeguard
of thieves, &c.

Treason in
those who
grant or put
themselves
under it.

FOR that divers of the English do maintain and succour fundry thieves, robbers, and rebels, because that the same thieves, robbers, and rebels do put them into their safeguard and comrick, so that the King's faithful subjects dare not pursue their right against such thieves, robbers, and rebels, for fear of them which have taken them into their safeguard and comrick: it is ordained and established, that from henceforward such as do put themselves, and such as do grant such safeguard and comrick, be adjudged traitors, and such safeguard and comrick shall from henceforward be adjudged treason, unless it be granted by him or by them that shall have authority by virtue of their office, or by special authority from the King, upon pain of life and member. *Ir. Stat. 3 Edw. 2.*

C H A P. III.

An Act that no Lord nor other shall charge the King's Subjects with Horses, Horsemen or Footmen, without their good Wills; the Offender a Traitor. Rot. Parl. cap. 10.

Charging
the King's
subjects, with-
out their con-
sent, with
horse or foot,
treason.

IT is agreed and established, that no lord, nor any other, of what condition soever he be, shall bring or lead from henceforth hoblors, kearns, or hooded men, neither English rebels, nor Irish enemies, nor any other people, nor horses, to ly on horseback or on foot upon the King's subjects, without their good wills and consents, but upon their own costs, and without hurt doing to the commons of the county. And if any so do, he shall be adjudged as traitor. *Ir. Stat. 3 Edw. 2. 1.*

C H A P. IV.

An Act that no Protection (quia profecturus) shall be granted, before that the Party make Oath the Cause containeth Truth, &c. Rot. Parl. cap. 11.

FOR that, that divers protections with the clause (*volumus quia profecturus est ad partes Angliæ*, or elsewhere, be granted to divers persons, where they are not retained with the King, to go into

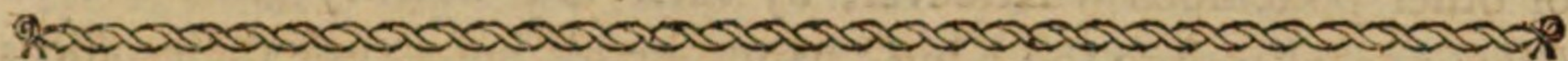
into England nor elsewhere, but to delay the king's liege-people from their actions, and do abide at their houses: It is agreed and assented, That from henceforward no such protection shall be sealed under the great seal of Ireland, before that the party make oath in the Chancery, that the cause within the protection comprised containeth truth: And farther, That if any such protection be put forth against any person, before whatsoever judge it be, that the plaintiff may have such averment to say, that the defendant after the date of the said protection by the space of six weeks had time to go in the King's service, and was not letted by wind nor other reasonable matter; and if that be found, that then such protection be holden for none. And if any such protection be allowed within the six weeks, and the party, for whom the protection is allowed, goeth not, and hath wind and ship reasonable, and is in no manner reasonably letted, that the party after the six weeks, against whom such protection is allowed, shall have forthwith after the six weeks passed a writ or bill of deceit against him, for whom the protection is allowed, in any of the King's courts, and a bill or plaint of deceit in any court of franchise; and that the party shall recover in such writ, bill, or plaint, double damages for the delay; and that no protection shall be allowed in such writ, bill, or plaint.

A. D.

1440.

If he go not in six weeks time, unless a reasonable cause, the protection held for none.

Bill of deceit lies for the party delayed thereby, and double damages.



Statutes and Ordinances made and established in a Parliament holden at *Trymme* the *Friday* next after the Feast of *Epiphany* in the five and twentieth Year of the Reign of King HENRY the Sixth before *John* Earl of *Shrewsbury*, the King's Lieutenant of *Ireland*, *Anno Dom.* 1447.

C H A P. I.

An Act that the King's Officers may travel by Sea from one Place to another within the Land of Ireland. Rot. Parl. cap. 7.

WHERE it was in doubt, and in diversity of opinions, that if any ministers or officers of the King did pass by the coasts of the sea from the parts of Dyvelin, Drogheda, Molagh-hide, or Dalkey, or elsewhere in those parts, to Weyford, Waterford, Cork, and to other places by the whole sea-coast within the said land of Ireland, that their offices were void, as if they had passed into England, or into other lands, out of the said land of Ireland: Wherefore it is ordained and agreed by authority of this present Parliament, That every the King's officer and minister may at their pleasure pass out of every county and place within the said land of

A. D.

1447.

The King's officers may go by sea from one part of Ireland to another without forfeiture of their offices, which if taken shall be restored at

A. D. 1447. Ireland by sea in ships or boats to whatsoever parts or places within the said land of Ireland, and there abide about their business, and from thence to return by sea to other counties and places within the said land of Ireland, so oft as shall please them, without loss, disturbance, or seizing of their offices in any manner, and without that, that their offices shall be void for the said causes. And if it fortune, that any of the said officers or ministers be taken by sea, that at their return they may have, occupy, and enjoy their offices without any suit to be made therefore. *Ir. Stat. 7 E. 4. 1.*

their return,
without suit.

C H A P. II.

An Act that the King's Subjects or Officers in Ireland may be absent by the Commandment of the King, or of the Governor, or of the Council, without seizure of their Lands, Rents, Benefices, or Offices, &c.
Rot. Parl. cap. 16.

25 H. 6. 9. *Ir.*
Absentees
by command
do not forfeit,
and if taken,
shall at their
return occupy
their offices,
notwithstanding
any grant thereof
in their absence.

ALSO it is ordained and agreed, that if any of the King's liege-man or officer of his land of Ireland be out of the said land of Ireland by the commandment of the King or his heirs, lieutenants, their deputies, justices, or the King's council in Ireland, that all their lands, tenements, rents, benefices, or offices, or other possessions whatsoever, by their said absency shall not be seized nor taken into the King's hands, or his heirs, nor their offices void. And if it so fortune, that any of the said officers be taken by pyrates, or any other ill doers or enemies, that they at their return may occupy their said offices, notwithstanding any grant or gift of the said offices made to any other person in their absence. And if any seisin or gift be made to the contrary, the same shall be void and holden for none.

C H A P. III.

An Act that none shall take Custom but within Cities, Burroughs, or merchant Towns, where there is Authority to take Customs. Rot. Parl. cap. 17.

No custom
to be levied
but within
cities, boroughs,
or merchant
towns, under
penalty of
twenty shillings
for every penny.

ALSO at the request of the commons, for that, that many people of this land of Ireland do take and levy fundry customs of merchants, passing and going with their merchandise through the King's high-way, against right and reason: It is ordained and agreed by the authority of this present Parliament, That no man be so hardy henceforward to take or levy, or cause to be taken or levied, any such custom of merchants or of other people in the King's high-way or elsewhere, but within cities, boroughs, or other merchant towns, where the said merchandises be bought or sold, or brought to be sold there, as they have power and sufficient authority to take and levy such customs. And if any do the contrary, and thereof be attainted, he shall be constrained and compelled by authority

rity of this same parliament, to pay for every peny so taken or levied twenty shillings, whereof the King shall have the two parts, and he, from whom the said custom shall be so taken, shall have the third part.

A. D.

1447.

C H A P. IV.

An Act that he, that will be taken for an Englishman, shall not use a Beard upon his upper Lip alone, the Offender shall be taken as an Irish Enemy. Rot. Parl. cap. 20.

FOR that, that now there is no diversity in array betwixt the English marchours and the Irish enemies, and so by colour of the English marchours the Irish enemies do come from day to day to other into the English counties as English marchours, and do rob and pill by the highways, and destroy the common people by lodging upon them in the nights, and also do kill the husbands in the nights, and do take their goods to the Irish men: wherefore it is ordained and agreed, that no maner man, that will be taken for an Englishman, shall have no beard above his mouth, that is to say, that he have no hairs upon his upper lip, so that the said lip be once at least shaven every fortnight, or of equal growth with the neather lip. And if any man be found amongst the English contrary hereunto, that then it shall be lawful to every man to take them and their goods as Irish enemies, and to ransom them as Irish enemies. *Rep. 11 Car. 1. cap. 6.*

The English not to wear their beards after the Irish manner. *Rep. 10 & 11 C. 1. 6.*

C H A P. V.

An Act that if any Irish Enemy received to the King's Allegiance shall be found after to rob, spoil and destroy, the liege-people, it shall be lawful to every liege-man to do with him and his Goods, as to a Man that never was become liege. Rot. Parl. cap. 21.

ALSO for that, that diverse Irish enemies be many times received by lieutenants and justices of this land to become liege-men, and thereto are sworn to be loyal lieges during their lives, and after many times they do not perimplish the same, but do rob, burn and destroy the King's liege-people, and the same liege-people for fear to be impeached dare not kill nor imprison the said enemies, nor take their goods nor chattels, whereby the said liege-people do take great hurt and hinderance: it is ordained and established, that if any such Irish enemies so received to the legeance of our sovereign lord be found with any such offence afore said, that it shall be lawful to every liege-man, that may meet with them after the said offence so made, to do with the said Irishmen so received to the legeance afore said, and to their goods and chattles, as to a man that never was become liege without any impeachment of the law, notwithstanding any statute, and to ransom them at their free-will without any impeachment. *Rep. 11 Car. 1. cap. 6.*

If the Irish received to the King's allegiance afterwards rob or spoil, it shall be lawful to do with him and his goods as with an enemy. *Rep. 10 & 11 C. 1. 6.*

C H A P. VI.

An Act against clipped Money, Money called O Reyle's Money, and other unlawful Money, and against gilt Bridles, Peytreles, and other gilt Harnefs. Rot. Parl. cap. 22.

FOR that, that the clipping of the King our sovereign lord's coyn hath caused divers men in this land of Ireland to counterfeit the same coin, to the great hurt and destruction of the said land, and the making of gilt bridles and peytrells hath also wasted and consumed the gold of the said land for the more part, and is like to do more hereafter, if it be not speedily remedied: Wherefore it is ordained and agreed by authority of this present parliament, that no money so clipped be received in any place of the said land from the first day of May next to come, nor the money

Clipped or other unlawful money not to be received, nor gilt bridles or harnefs used, except by knights and prelates. *3 E. 4. 3. Ir. Rep. 10 & 11 C. 1. 6.*

A. D.

1447.

called O Reyleys money, or any other unlawful money, so that one coyner be ready at the said day to make the coyn. And also that no man be so hardy henceforward to use any gilt bridles, peytrells, nor any other gilt Harneys in no place of the said land; excepted knights and prelates of holy churches. And if any man be found with any such bridle, peytrell, or other harneys gilted from the same day, that it be lawful to every man, that will, to take the said man, his horse and harneys, and to possess the same as his own goods. *Rep. 11. Car. 1.*

C H A P. VII.

An Act that the Sons of Labourers and Travailers of the Ground, as Ploughmen and such other, shall use the same Labours and Travails that their Fathers and Parents have done. Rot. Parl. cap. 25.

The sons of husbandmen and labourers shall continue so, as formerly, under penalty of fine and imprisonment.

AL SO for that, that the commons are much grieved with this, that the sons of husbandmen and labourers, which in old time were wont to be labourers and travaylers upon the ground as to hold ploughs, to ere the ground, and travayl with all other instruments belonging to husbandry to manure the ground, and do all other works lawful and honest, according to their state: and now they will be kearnes, evil-doers, wasters, idle men, and destructioners of the King our sovereign lord's liege-people, to the great decay of the said commons, and impoverishment of their state: Wherefore it is ordained and agreed by authority of this present Parliament, to withstand such ill governance of the said persons, and to put them in better rule, and for the common profit of all the liege-people of the said land of Ireland, That the said persons from henceforward to comfort the said liege-people in their husbandry, and in all other works lawful and profitable, shall be labourers and travailers upon the ground, as they were in old time, and in all other works and labours lawful and honest, according to their state. And if it fortune, that any such son of husbandman or of labourer in time to come do the contrary of this, that is ordained and established by this present Parliament, and thereof be lawfully convicted before any judge of the King, or judge of franchise, that he shall have the imprisonment of one year, and over that, he shall make fine to the King, or to the lord of the franchise, according to the discretion of the judge, before whom he is convicted.

C H A P. VIII.

An Act that no Lord of Parliament shall be amerced in Plees real or personal, otherwise than another Person. Rot. Parl. cap. 29.

Amercements on lords of parliament in all pleas to be the same as on other persons.

FOR that, that a law is established, That every lord, that is called lord of Parliament, in all pleas, as well personal as real, in the which amerciements do lye, that he, that is called lord, shall be amerced in one hundred shillings, to the great impoverishment of the said lords, forasmuch as their livings are diminished

and

and wasted by war: It is ordained and established by authority of A. D. this present parliament, That no lord of Parliament shall be 1447. amerced from henceforward in the said plees, otherwise than another person, notwithstanding any law thereof made before to the contrary. *Eng. Stat. 9 H. 3. 14. 3 E. 1. 6.*

C H A P. IX.

An Act concerning Absentees. Rot. Parl. cap. 16.

IT is ordained and accorded, That if any liege-man or officer of our lord the King of his land of Ireland be out of his said land of Ireland by the commandment of our said lord the King, or his heirs, or of the lieutenants, their deputies, justices, or the council of the King in Ireland, That their lands, tenements, rents, benefices, or offices, or other possessions whatsoever by their said absence shall not be seized nor taken into the hands of our lord the King, or his heirs, nor their offices shall not be void. And if it so happen, that any of the said officers be taken by pyrates, or any other malefactors, that they at their return may occupy their said offices, notwithstanding any grant or gift made to any other person in their absence. And if any seizure or gift be made to the contrary, the same shall be void and of none effect. *Absentees by command forfeit nothing. Ir. 25 H. 6. 2.*

C H A P. X.

An Act restraining the transportation of Bullion. Rot. Parl. cap. 12.

WHEREAS this land of Ireland is greatly impoverished from day to day by the great deduction and carriage out of the said land into England of the silver plate, broken silver, bullion, and wedges of silver, made of the great tonsure of the money of our sovereign lord the King by his Irish enemies and English rebels, within his said land; whereby his said coin is diminished and greatly impaired; and Irish money, called Reyles, do encrease from day to day, unto the great hurt and impoverishment of his said people of this his said land, and diminution of his coin: The premises therefore considered, it is ordained, established, and provided by authority of the said Parliament, That of every ounce of broken silver, bullion, and wedges of silver, taken by any person or persons out of the said land, the said person or persons shall pay, satisfy, and content to the King twelve pence for custom of every ounce, to be received by the hands of his customers for the time being, except lords and messengers going into England about the business of the land, that they may take plate with them according to their beings and estates. *Bullion not to be transported without paying twelve pence per ounce custom, unless by lords or messengers to England, according to their being and estates. Ir. 35 H. 6. 1.*

A. D. Statutes and Ordinances made and established in a certain Great Council holden at *Dublin* the *Friday* next before the Feast of Saint *Luke* the Evangelist, in the twenty eighth Year of the Reign of King HENRY the Sixth, before *Richard* Duke of *York* the Kings lieutenant of *Ireland*, Anno Dom. 1450.

C H A P. I.

An Act that no Marchour, nor other Man, shall keep more Horsemen or Footmen, than they shall answer for, and maintain upon their own Charges and their Tenants; and for presenting the Names of their Men; and that none shall take Coynee, Cuddies, or Night-suppers, nor shall take no Pledges of them; the Offenders shall be Felons, &c.
Rot. Parl. cap. 4.

Rep. 10. & 11.
C. 1. 6.

None shall keep more horsemen or footmen than they shall answer for and maintain on their own charges and their tenants.

The names of their men shall be presented.

None shall take coynees, cuddies, suppers or pledges for them.

Ir. 10 H. 7. 6.
& 10.

AT the request of the commons, that where the marchours of the county of Dyvelyn, and other marchours of fundry countries, and other men within the land of Ireland, do keep horsemen and footmen, as well Irish as English, more than they can maintain upon their own costs, or upon their own tenants, and from day to other do coynee them upon the poor husbands and tenants of the said land of Ireland, and oppress and destroy them; and namely, in time of harvest upon their cornes and meadows with their horses both day and night, and do pay nothing therefore, but many times do rob, spoyl, and kill the said tenants and husbands as well by night as by day; and the captains of the same marchours, their wives and their pages, certain times of the year do gather and bring with them the Kings Irish enemies, both men and women, and English rebels, with their horsemen and footmen, as well in time of war as of peace, to night suppers called cuddies, upon the said tenants and husbands; and they, that are the chief captains of the said marchours, do lead and lodge them upon one husband one hundred men, horsemen and footmen, some night, and upon one other tenant or husband so many one other night, and so every captain and their wives, pages, and their sons, as well as themselves, and every of them, do lead and bring with them so many of the said Irish enemies and English rebels, with their horsemen and footmen, upon the said husbands and tenants, and so they espy the secrecie of the said land: and after that every of the said marchours and their wives, pages and sons, have overgone the said husbands and tenants of the said marches in the form aforesaid; then they go to the captains aforesaid, and there the thieves of the said marcheours do knit and confeder together. And that that the said marcheours thieves do steal in the English countrey they do put out to them in the march, and in time of war the men of the said marcheours, as well horsemen as footmen, do guide the said Irish enemies and their thieves into the English countrey; and what tenant or husband will not be at their truce, they do burn, they do rob, spoil, and kill, and for the more part the said land is wasted and destroyed. And if such rule be holden not punished, it is like to be the utter destruction and undoing of the said land. Wherefore the premisses considered, it is ordained and agreed by the authority of the said council, that no marcheour nor other man of the said counties shall keep more men, horsemen, or footmen, but that they shall answer for them, and shall maintain them upon their own costs, or their own tenants. And what men they do keep, horsemen or footmen, the marcheours of the county of Dyvelyn shall present their names to the sheriff, or to the justices of peace of the said county, and they to present them to the mayor and bailiffs of the city of Dyvelyn, and in like case, all marcheours and other men of every county within Ireland, to the sheriffs or justices of peace of the counties, and they to present them to the mayor and bailiffs of the said cities within the said counties, soveraigns or provosts of the best borough-towns within the said counties.

And

And that the said marcheours, nor no other man, shall any more use any such coynees, suppers, cuddies, nor shall take no pledges for them, nor none of their thieves or men shall guide none of the King's Irish enemies in the form aforesaid. And what marcheours or other men do contrary to the ordinances aforesaid, that they shall be judged as felons. And that the mayors, baylyffs, soveraigns, and provosts of the counties aforesaid for the time being, or any other of the Kings liege-men, shall have the Kings letters patents under his great seal out of his chancery of Ireland, made to them in due form, without fine or fee paying for the said letters patent, or great seal, that where they may find any such theeves, burning, robing, stealing, killing, coyning, or taking pledges, as it is aforesaid, to take them, and their goods to be forfeited as goods of felons, and the half of the said goods to go to the King, and the other half to them that do take them. And that no escape shall be levyed of the commons of the said counties if any of the said felons be killed for the causes aforesaid, nor they nor any of them shall be vexed nor grieved by our soveraign lord the King, nor his justices, officers, nor ministers, notwithstanding any statutes or ordinances thereof made to the contrary before this time. *Rep. 11. Car. 1. 6.*

A. D.

1450.

Ir. 10 H. 7. 18.

The offenders, felons.

CHAP. II.

An Act that upon Accusations made, the Accuser shall find sufficient Surety for the Damages of the Party accused, if it shall be adjudged against the Accuser, and for remittal of the Accusation to the ordinary Judge, as the Nature of the Cause shall require. Rot. Parl. cap. 6.

FOR that, that before this time divers of our sovereign lord the Kings liege-people, by false suggestions and accusations made to the governour of this land for the time being, and to other officers, as well within franchise as without, and they be many times arrested to the intent, that they must make fines after the desire of the said governour, or the said officers for the time being, to the great hurt of the said liege-people: wherefore it is ordained by authority of the said council, That if any such accusations be made, that he, that maketh the accusation, shall find sufficient surety for the damages of him, that is accused, if it shall be adjudged, that the suggestion or the accusation be not true, and also that he, that is so arrested, may go by surety or by bail as law will, till the matter shall be determined. And if it be a matter touching treason, felony, or trespass, to be remitted to our sovereign lord the Kings bench: And if it be a matter of conscience, to be remitted to the chancery: And if it be a matter within franchise, to be remitted to the seneschal of the liberty: And if it be for debt, to the Kings common-place. And that the party that is grieved may have suit by writ or bill of false imprisonment against him, that maketh suggestion or accusation, if the suggestion or accusation be not true. Saving the Kings prerogative.

Accusers shall find sureties to answer damages to the accused, who shall be admitted to bail, as the law will, and the cause sent to the proper court. *Ir. 32 H. 6. 3.*

The accuser may be sued for false imprisonment, if the suggestion not true.

C H A P. III.

A. D. *An Act that it shall be lawful to every Liege-man to kill or take notorious Thieves, and Thieves found robbing, spoiling or breaking Houses, or taken with the Manner.* Rot. Parl. cap. 8.

Notorious thieves, or thieves found robbing, &c. by night or day, or found with the manner, may be killed by any liege man, who shall receive a reward, to be levied by the sheriff on every plough or cottage, or paid by him if he neglect the same.

Ir. 5 E. 4. 2.

WHEREAS the thieves and evil-doers increase in great store, and from day to other do increase in malice more than they have done heretofore, and do destroy the commons with their thefts, stealings, and man-slaughters, and also do cause the land to fall into decay and poverty, and waste every day more and more, and so it is like to be confounded, if there should not be remedy: It is ordained by authority of the said council, That it shall be lawful to every liege-man of our sovereign lord the King, all manner notorious and known thieves, and thieves found robbing, and spoiling, or breaking houses by night or by day, and thieves found with the manner, to kill them, and to take them without impeachment, arraignment, or grievance to him to be done by our sovereign lord the King, his justices, officers, or any of his ministers for any such man-slaughter or taking. And that every man, that kills or takes any such thieves, shall have one peny of every plough, and one farthing of every cottage within the barony, where the man-slaughter is done, for every thief. And that the town where the said man-slaughter is done, and other four towns next to the said town, which were before charged with the escapes for such man-slaughter, shall be quit and discharged of the said escapes, and every of them, without any impeachment in any court, or payment to any officer. And that the sheriff of the county shall have sufficient power to make levy of the money aforesaid in the said form within one month after the said man-slaughter, and shall deliver it to him, that made the said homicide. And if the sheriff be negligent in levying the said money in the form aforesaid, that he shall pay the sum of money to the party, that hath cause to have it.

C H A P. IV.

An Act that the Chancellor, Justices, or Barons, or their Ministers, shall make forth no Writs of Privilege, but only for the Ministers or Servants continually attendant upon them. Rot. Parl. cap. 9.

Ir. 38 H. 6. 1.

Writs of privilege shall not be made out by the chancellor, &c. save only for the ministers servants or yeomen continually abiding with them.

ALSO where divers in divers courts are impleaded, as well within liberties as elsewhere, many times the chancellor of our sovereign lord the King, or his deputy or keeper of the Kings great seal of his land of Ireland, the Kings justices of his chief-place, the justices of his common-place, and the barons of the Kings exchequer of his said land, and their ministers, do make writs of privilege out of their places, directed to officers of liberties, or elsewhere, where the said people are impleaded, and do command them

to

to surcease from their said pleas, where the said people are not minister, yeoman, nor servant continually dwelling with the said chancellor, justices, nor barons, nor with any of them, to the great damage of the lords of the said courts, and the parties plaintiffs, which pursue in them: It is ordained by authority of the said council, That from henceforth the said chancellor, justices, and barons, and their ministers that now are, or for the time shall be, shall not put forth from their said places any such writs of privilege in the form aforesaid, but only for the ministers, servants, or yeomen continually abiding with them. And that he, that pursueth such writ of privilege, shall pay to the King one hundred shillings, and to the party grieved one hundred shillings, by bill, or by writ grounded upon the ordinances aforesaid, so that he be not minister, servant, or yeoman continually abiding, as afore is said. And further, that the said chancellor and justices that now are, or for the time shall be, shall suffer no man to pursue writs or bill out of their said places, calling them their ministers, servants, or yeomen, or any of them, if he be not minister, servant or yeoman, continually abiding with the said chancellor or justices, or any of them. And if it be otherwise done, the King shall have one hundred shillings, and the party grieved one other hundred shillings, against him that sueth such bill, or writ by bill, or writ grounded upon the ordinances aforesaid.

A. D.

1450.

Penalty on others pursuing such writs.

Statutes and Ordinances made and established in a Parliament holden at *Drogheda*, the *Friday* next before the Feast of *St. Mark* the Evangelist, in the twenty eighth Year of the Reign of King HENRY the Sixth, before *Richard* Duke of *York*, the King's Lieutenant of *Ireland*.

CHAP. I.

An Act that no Remembrancer, nor his Deputy, shall cause any process to be made against any that hath Discharge of Record in the Exchequer. Rot. Parl. cap. 7.

A. D.

1450.

FOR that, that before this time the remembrancers of the King's exchequer in Ireland have used to write writs to impeach people in the said exchequer, where they have sufficient discharge of record in the remembrancy, or in other place in the said exchequer, and so put them to make a search in the said exchequer, to the great damage of the King's liege-people: It is ordained and agreed by authority of the said Parliament, That no remembrancer, nor his deputy, shall cause to be written any writ against any man, that hath sufficient discharge of record

Remembrancer or his deputy issuing any writ against one who has sufficient discharge of record in the exchequer, a forfeiture of his office and treble damages.

A. D. 1450. in the remembrancy, or in other place in the said exchequer, of that whereof he shall be impeached. And if the remembrancer or his deputy do the contrary thereof, that they shall lose their office. And that the party so impeached shall have his damage against them to treble. *Eng. Stat. 1 R. 2. 5. 37 E. 3. 4.*

C H A P. II.

An Act that no Commission shall be made out of the Chancery to enquire, hear and determine; or to enquire, hear and certifie in the Counties of Dublin, Kildare, Meith, and Uriell, of Treasons, Felonies, or Goods of Felons, and Men outlawed, and other Offences, but that the Chancellor or Treasurer, or Justices of the one Bench or other, or Barons of the Exchequer, the King's Serjeant or Attorney, or one of them, shall be in the Commission and of the Quorum, and present at Time of such Inquisition taken. Rot. Parl. cap. 8.

Who must be included in the commission and of the *quorum* to inquire of treasons, &c. in certain counties named in this act.

IT is ordained and agreed, That no commission shall be made henceforth out of our sovereign lord the King's chancery of Ireland to any to enquire, hear, and determine, or to enquire, hear and certifie, in the counties of Dublin, Kildare, Meith, and Uriell, of treasons, felonies, or goods of felons, and men outlawed, trespasses, contempts, and all other excesses and offences, but that the chancellor, or treasurer, or justices of the one bench, or of the other, or barons of the exchequer, the King's serjeant or attorney, or one of them, shall be with such commissioners put into the commission and in the *quorum*, and present at time of such inquisitions taken. Saving the commissions made or to be made to justices or keepers of the peace after the old custom. And if any such commission be made to the contrary, that it shall be void and holden for none, and all the things contained within the inquisitions so taken by authority of the said Parliament.

Saving the commissions to justices of peace.

C H A P. III.

An Act that none shall sell Wine, Ale, nor any other Liquor within any City or Town franchised, but with the King's Measure sealed, that is to say, the Gallon, the Pottle, the Quart, the Pint, or the Half-pint. Rot. Parl. cap. 11.

Liquors shall be sold by the King's measures sealed.

FOR that, that where our sovereign lord the King, and his noble progenitors, have ordained and established certain measures sealed for wine, ale, and other liquors, within this his land of Ireland, that is to say, the gallon, the pottle, the quart, the pint, and the half-pint, and now divers people do sell wine and other liquors by new measures not sealed nor agreeing to the measures

measures of the King, to the great hurt, disceipt, and damage of the common people: Wherefore the premises considered, it is ordained by authority of the said Parliament, That from henceforward no man shall sell wine, ale, nor any other liquor, within any city or town franchised, unless it be with the King's measures sealed, that is to say, the gallon, the pottle, the quart, the pint, or the half-pint; and whosoever doth the contrary, that he shall forfeit the measures, and shall make fine of forty shillings: Saving the grace of the officers of the said franchise; the half to the King, and the other half to the city, borough, or town where the offence is made, that they do sell with such measures not sealed, and that all such new measures be dampned.

A. D.

1450.

Eng. 9 H. 3.

25. 14 E. 3.

12. 8 H. 6. 5.

Ir 10 & 11

C. 1. 5.

Statutes and Ordinances made and established in a Parliament holden before *Edward Fitz Eustace*, Knight, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land in *Ireland*, in the two and thirtieth Year of the Reign of King HENRY the Sixth.
Anno Dom. 1454.

C H A P. I.

An Act that all Statutes made against Provisours, as well in England, as in Ireland, shall be had and kept in force. Rot. Parl. cap. 9.

A. D.

1454.

AT the request of the commons, that where diverse statutes and ordinances, as well within the realm of England, as within this realm of Ireland, have been made against all them, that sue provisions to the court of Rome, as by the statutes and ordinances thereof made, as well in England as in Ireland, more plainly appeareth. This notwithstanding, provisions are sued from day to other, more now than before this time: Wherefore the premises considered, it is ordained and established by authority of the said Parliament, That from henceforward all the acts, ordinances, and statutes, made against the provisors, as well in England as in Ireland, be had and kept in force within this land of Ireland. And also, if any provisor or provisors do henceforward sue any provision upon any man beneficed within this land of Ireland, and by cause of the provision do enter into any benefice or benefices of the church, and do take any goods or chattles from any beneficer of the church, against whom any such provisions are sued: that then the party grieved may recover treble damages, and he that taketh such goods, and thereof is convicted, shall pay twenty pounds, the half to the King, and half to him that will sue.

All statutes against provisors in England and Ireland, to be in force in Ireland.

Ir. 7 E. 4. 23.

10 H. 7. 5.

Eng. 25 E. 3.

22.

13 R. 2. 2.

16 R. 2. 5.

2 H. 4. 3.

7 H. 4. 8.

3 H. 5. 4.

Treble damages and 20l. on conviction.

A. D.

C H A P. II.

1454.

An Act for Discharge of the Jurors in Inquisitions upon Sight of the Bodies before Coroners, being at two several Days sworn, that they do not know the Felon. Rot. Parl. cap. 10.

The coroners shall discharge the jurors if on oath at two several days they say they know not the felon.

ALSO at the request of the commons, that where inquisitions are taken before the coroners, upon the sight of the bodies of the dead men feloniously killed in the night, and many times in solitary places in the day, that the people have no knowledge of the felons, the people being sworn in the said inquisition, they say upon their oaths, that they do not know the felon. Notwithstanding the coroners will take no such verdict of them, but do vex them from day to other, and from place to place, many times a whole quarter of a year, to the intent to charge the people with the escapes, and so compel them to say a false verdict, to the great hurt of the people so sworn: Wherefore it is ordained by authority of the said Parliament, that if by their oath they say, that they do not know the felon, that the coroners shall give them another reasonable day; and if they say at the second day the same verdict, that then the said coroners shall discharge the said people. And if they will not, that it shall be lawful for them to depart, and to go to their houses without any impeachment of the King, or any of his officers or ministers. And that done, that the justices nor none of them shall put any *habeas corpora* for the same jurors, nor any special *venire* for the same matter.

C H A P. III.

An Act that the Matter of every Appeal shall be declared before the Governour and Council; and if the Matter do not touch the King's Person, then the Appeal shall be sent to the King's Bench to be determined as Law will. Rot. Parl. cap. 11.

The matter of an appeal shall be declared before the governor and council; and if it touch not the King's person, it shall be sent to the King's Bench; and if not found true, appellant pay appellee damages and 20l. and 100s. fine to the King.
Eng. 1 H. 4. 14.
Ir. 28 H. 6. 2.

AT the request of the commons, that where before this time many appeals have been sued against many men of good fame and good name, as well of matters touching the King's person, as of other treasons by them, that have been open evil doers, more for ill will, than for truth of the matters, whereby great villainy hath grown to this land undeserved: Wherefore the premises considered, it is ordained by authority of the said Parliament, That from henceforward if any man do appeal in hope to be sent into England, that the matter of the appeal shall be declared before the governour of this land, and the King's council. And if the matter of the appeal doth not touch the King's person, that then the said governour shall send the said appeal to the King's Bench, there to be determined as law will, as if it were appeal of robbery. And if the said appeal be not found

found true, that then the appealor shall pay to the appeallee his damages taxed by the enquest and twenty pound, and over that one hundred shillings to the King for his fine, saving the Kings prerogative.

A. D.

1454.

Ordinationes & Actiones in quodam magno consilio domini regis apud *Dublin*, anno regni Regis HENRICI Sexti, tricesimo tertio tent: coram *Thoma Fitz Morice* comite *Kildare* deputato *Richardi* ducis *Eborum* locum tenentis dicti domini regis terræ suæ *Hiberniæ*, Anno Dom. 1455.

C H A P. I.

An Act whereby Commissioners are prohibited to award Exigents.

Rot. Parl. cap. 8.

A. D.

1455.

AT the request of the commons, where before this time divers commissioners of our sovereign lord the King within this land of Ireland to hear, enquire, and determine of felonies, trespasses, and treasons, have put out process of outlawry against divers men before them endyted, as well against men dwelling in other shires, as within the same shire, where the said commissioners sit. And for that, that before commissioners there is no common dayes limited, as there is in the bench of the King, they will send one *capias* returnable at this day, and one *alias* returnable within two days then ensuing, and one *pluries*, returnable within other two dayes then following; and that so done, then they will award one exigent, by the which exigent so awarded the party shall lose his goods and chattels that not knowing, and so by such mean every man dwelling in far shires may lose his goods and chattels they not knowing: Whereupon the premises considered, it is ordained and established by authority of the said council, That every exigent for the King of felonies or treasons to be awarded be void, if not, that it be in the bench of the King. And if it be within liberties for lords of the said liberties, that then it be before their judges of their places, and not before commissioners.

Exigents for the King of felonies or treasons void, if not in the Kings Bench; if for lords of liberties, it must be before their judges, and not commissioners.

C H A P. II.

An Act that the Recorders or Clerks of Dublin and Drogheda shall have but Two Pence for the Copy of a Plaint. Rot. Parl. cap. 21.

ITEM, at the request of the commons, whereas many and diverse great extortions are done and used in the city of Dublin, and in the town of Drogheda, that the complaints affirmed in the said city and town, the recorders and clerks of the said city and

Recorders or clerks of Dublin and Drogheda, shall take but two pence for copy of a plaint.

A. D. 1455. town, would give no copy of the complaints so affirmed to no man, unless he pay for the same two shillings for the copy of every complaint, to the great extortion and oppression of all the liege-people of the King: Whereupon the premises considered, it is ordained, established, and enacted by authority of the said council, That the said recorders or clerks shall take for the copy of a complaint but two pence in no manner; and if any person that feels himself grieved in the premises; to complain unto the mayors, bailiffs, or sheriffs of the city and town, for the time being, and then they shall make and compel the said recorders and clerks to take but only two pence aforesaid. And if the said mayors, bailiffs, or sheriffs give no remedy in the matter aforesaid, that then the said recorders and clerks, that more take than the said two pence, to stand as outlawed of trespass, and out of the protection of the King, and never to occupy the said office of recorders and clerks in the said city or town.

C H A P. III.

An Act that every Man shall answer for his Son and waged Men.
Rot. Parl. cap. 22.

Every man shall answer for his sons and waged men.
Ir. 11 El. 4. Sess. 1. 10 & 11 C. 1. 6. Rep. Ir. 35 H. 6. 2.

Item, at the request of the commons, whereby one statute made at Kilkenny it was ordained, that if any of the lineage or adherence or of the retinue of any chiefteyn of English lineage within this land, the which the said chiefteyn may chastice, do any trespass or felony, that the said chiefteyn after that he had notice thereof, that he should take the said malefactor and put them to the next gaole, there to remain until he were delivered by law: And if the said chiefteyn will not so do, that his body shall be taken for the said malefactor, and in prison detained until the body of the said malefactor be rendered unto the court of the King, and there to be justified as is aforesaid, and nevertheless, the said chiefteyn to be for one contempt ransomed at the will of the King, and to make amends to the party grieved: And for that, that every chiefteyn will say, that they may not chastice their lineage and their waged men, the said statute is defrauded and not put in execution, wherefore it is ordained and accorded by authority of the said great council, that every man answer for his sons and his waged men.

C H A P. IV.

An Act concerning Commissioners and Escheators. Rot. Parl. cap. 14.

Statutes made against escheators to be of equal force against commissioners.

But not to extend to judges, &c.

IT is ordained, established, and determined by the authority of the said great council, That all the statutes, made before this time against the escheators, shall be put in ure, and be of force, and as penal against commissioners, as against escheators, for all manner of things done by any manner of commissioner sithence the making of the last statute at Dublin before Edward Fitz Eustace the deputy lieutenant of Ireland against escheators, or hereafter to be done by any manner of commissioner. Provided, that the said penalty shall not extend to the justices of the one bench and thother, the barons of the exchequer, and the serjeant and attorney of the King.

Statutes

Statutes and Ordinances made and established in a Parliament holden at the *Naas*, the *Friday* next after the Feast of *All Saints*, in the thirty fifth Year of the Reign of King HENRY the Sixth, before *Thomas Fitz Maurice* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*, Anno Dom. 1457. A. D. 1457.

CHAP. I.

An Act that Frenchmen, Spaniards, Britons, Portingales, and other Nations, coming out of other Lands with Merchandises, shall pay for every Pound of Silver, that they carry out of this Land, forty Pence of Custom to the King's Customer. Rot. Parl. cap. 6.

AT the request of the commons, that whereas no mean can be found to keep the King's coin within the land of Ireland, it is ordained and established by authority of the said Parliament, That all manner of men coming out of other lands with their merchandises, that is to say, French-men, Spaniards, Britons, Portingalls, and other fundry nations, shall pay for every pound of silver, that they carry out of the land of Ireland, forty pence of custome to the King's customer, to the use of the King, and if any man do the contrary in concealing of the said custome, he shall pay for every peny twenty shillings to the said customers to the King's use.

Merchants
strangers shall
pay 40d. per
pound custom
for silver ex-
ported.
25 H. 6. 10. Ir.
Penalty 20s.
for every pen-
ny concealed.

CHAP. II.

An Act that every Man shall answer for the Offence of his Sons, as the Offender ought to do, saving Punishment of Death. Rot. Parl. cap. 7.

ALSO at the request of the commons, that forasmuch as the sons of many men from day to other do rob, spoil, and coynye the King's poor liege-people, and masterfully take their goods without any pity taking of them: Wherefore the premises considered, it is ordained and established by authority of the said Parliament, That every man shall answer for the offence and ill doing of his son, as he himself, that did the trespass and offence, ought to do: saving the punishment of death, which shall incur to the trespasser himself.

Father to an-
swer for offence
of son, as the of-
fender ought,
except death.
33 H. 6. 3. Ir.

A. D.

C H A P. III.

1457.

An Act that Persons not amefnable to the Law shall not enter, distrain, rob, threaten or kill any Tenants for any Lands or Tenements, contrary to the common Law, but shall first shew their Title to the Governor and Council, and thereupon have Licence to distrain or enter in peaceable Manner. Rot. Parl. cap. 9.

Persons not amefnable to law entering into lands, distraining, &c. without licence of the governor or council, shall lose their title.

AT the request of the commons, that where fundry persons not amefnable by the common law do feign titles to lands and tenements of diverse men, the which are under the jurisdiction of the law, and by such feigned titles they threaten the tenants and inhabitants in the said lands and tenements to rob them, to prey them, to kill them, so that for fear the said tenants dare not dwell in the said lands and tenements, but must fly and avoid the said lands and tenements, and leave them waste, which is a great imminent mischief, like to make much of this land waste; considering that such persons out of the law at this day have more great rule for default of punishment of misgovernance, than persons that obey the law: wherefore the premises considered, it is ordained and established by authority of the said parliament, That if any person, which is not amefnable to the common law do enter, distrain, rob, or threaten, or kill any such tenants of any lands or tenements by strong hand, contrary to the common law, unless that they do sue first to the lieutenant, justice, or deputy, and the King's council in this said land, and shew their title, and thereupon to have a special licence to distrain or enter in peaceful manner, as may be thought lawful to the said lieutenant, justice, or deputy, and the council; and if any person contrary to this statute do enter, distrain, rob, kill, or threaten any tenants or tenements, so that the said lands or tenements shall lye waste, that then they shall lose their title and claim of the said lands and tenements for ever from them and their heirs. And that this statute shall not extend to such persons, as are amefnable by the common law.

Statutes

Statutes and Ordinances made and established in a Parliament holden at *Dublin* the *Friday* next after the Feast of the Purification of our Lady, in the thirty sixth Year of the Reign of King HENRY the Sixth, before *Thomas* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*, *Anno Dom.* 1458.

A. D.
1458.

C H A P. I.

An Act that beneficed Persons shall keep Residence. Rot. Parl. cap. 8.

AT the request of the commons, That whereas diverse persons advanced to benefices within the land of Ireland do absent them out of the said land in other lands, whereby the issues and profits of their said benefices be yearly taken forth of the said land of Ireland, to the great impoverishment and weakening of the same, diminishing of Gods service, and withdrawing of hospitality: It is ordained and established by authority of the said Parliament, That all manner benefices within the said land, of whatsoever condition that they be, shall keep residence continually in their proper persons in the said land within twelve moneths after the said Parliament finished, and otherwise the issues and profits of the said benefices (divine service and ordinary charges kept) shall be divided, the half to the commodity and profit of their benefices and churches, the other half to be expended in our sovereign lord the King's wars in defence of this poor land of Ireland, and any grants of absency made by our sovereign lord the King to them or any of them, or to be made and granted in time coming to the contrary hereof, to be void and of no force in law, unless that it be by authority of Parliament. Excepted students, pilgrims, and such as will of necessity, must sue by way of appeal, or any other lawful way for reformation of their benefices.

Beneficed persons must keep residence, in default, one half of the profits to go to the use of their churches, the other to be expended in the wars in defence of the kingdom.

Grants by the King to the contrary, unless by Parliament, void. Students, &c. excepted.

C H A P. II.

An Act concerning the Inclosing of Townes and Villages. Rot. Parl. cap. 6.

WHEREAS now of late there are divers towns and villages made waste in this land by the robbery of thieves in the night, by default of inclosure, stopping, and ditching; and because that many of the said towns be in high-ways between market and market, the tenants and inhabitants thereof dare not stop, ditch, nor inclose such towns and villages for fear of indictments, so that many towns and villages are made waste, to the great hurt of this

Towns and villages in high ways may be inclosed by the inhabitants, leaving a sufficient high-way for carriages, not above 40 perches about.

A. D. 1458. *Highways to be made on the person's own land who will make it.* land. The premises therefore considered, it is ordained and established by the authority of the said Parliament, That it shall be lawful to every tenant and inhabitant of such towns and villages being in high-ways for to stop, ditch, and inclose the said towns and villages in the strongest manner that they can, so as there shall be a competent and a sufficient high-way left and made for carts and carriages through or near the said towns or villages, so that people be not interrupted in their passage from market to market, nor that the high-ways be not made very far about, not above forty perches. *All indictments, &c. to the contrary of this statute, void.* Provided always, that any man, that will make an high-way, shall make the same upon his own land. And that the tenants and inhabitants of such towns and villages may lawfully stop, ditch in, and inclose such towns and villages in form aforesaid without any impeachment of our sovereign lord the King, his heirs, or ministers, in time to come: And if any office, seizure, or indictment be hereafter found contrary to this statute against any person or persons, it shall be adjudged void, and of no value nor effect. *This statute to be observed within franchises.* And this statute shall be observed and take place as well within franchises and liberties as without, and as well against lords of franchises, their ministers and officers, as against the King.

Statutes and Ordinances made and established in a Parliament holden at *Dublin*, the *Friday* next after the Feast of St. *Blase* the Martyr, in the thirty seventh Year of the Reign of King HENRY the Sixth, before *Thomas* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*. Anno Dom. 1459.

An Act that Warrants made to the great Seal shall have the Day of their Delivery to the Chancellor, &c. entred, and that the Patents shall bear the Date of that Day. Rot. Parl. cap. 13.

A. D. 1459. *The day of delivery of warrants to the chancellor shall be entered of record in chancery, and letters patent made thereupon, bear date that day, and not before; otherwise void.* AT the request of the commons, for that, that the lieutenant of our sovereign lord the King of Ireland, or their deputies, justices, and other governours of the said land, at the special request of diverse gentlemen have made their warrants to be directed into the chancery of Ireland of lands, tenements, rents, offices, and services, to bear date long time before divers other warrants, directed into the said chancery, of the said lands, tenements, rents, offices, and services, whereby divers the King's liege-people, having such lands, tenements, rents, offices, and services, of the gift or grant of the King by the said warrants, have been put out of their said lands, tenements, rents, offices, and services, granted by our sovereign lord the King, by force of the said antedates, against reason,

reason, right, and conscience: Wherefore to do away such subtle imaginations of such antedates it is ordained and established by authority of the said Parliament, that upon every warrant hereafter by the King's justices of Ireland, the King's lieutenant of Ireland, or their deputy there for the time being, to be addressed to the chancellor of Ireland, or his deputy there, or keeper of the great seal of Ireland, for the time being, the day of the delivery to the said chancellor, deputy, or keeper, shall be entred of record in the said chancery, and that the King's letters patents be made upon the same warrants, bearing date the day of the same delivery into the said chancery, and not before in any manner. And if any letters patents of our sovereign lord the King be made to the contrary, they shall be void, and holden for none, to begin the first day of March next coming, and from thenceforward.

A. D.

1459.

Statutes and Ordinances made and established in a Parliament holden at *Drogheda*, the *Friday* next after the Feast of St. *Blase* the Bishop, in the thirty eighth Year of the Reign of HENRY the Sixth, before *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*. Anno Dom. 1460.

An Act that none shall sue Actions in the Exchequer, unless the Plaintiff be Minister to the Exchequer, or Servant to any Minister of Record of the Exchequer, upon pain of Ten Pounds. Rot. Parl. cap. 12.

AT the request of the commons, That whereas before this time a writ of King Edward the third, late King of England, was directed to his treasurer and barons of his exchequer of Dyvelin, the tenour whereof doth ensue in this form: *ff. Edwardus Dei gratia, Rex Angliæ & Franciæ, & dominus Hiberniæ thes. & baronibus suis de scaccario suo Dublin salutem. Cum secundum legem & consuetudinem terræ nostræ Hiberniæ communia placita coram vobis ad scaccarium placitari non debeant, nisi placita illa nos vel aliquem ministrorum nostrorum ejusdem scaccarii specialiter tangent: Ac jam ex parte hominum libertatis Midiæ in terra prædicta nobis est graviter conquerendo, monstratum quod vosipsos homines ad sectam quorundam asserentium se valetos ministrorum dicti scaccarii existere, qui ministri nostri in scaccario prædicto deservientes non existunt, ad respondendum coram vobis in scaccario prædicto, in placitis de transgressionibus contractibus, debitis & compotis distringi facitis, contra leges & consuetudines supradictas: Nos nolentes ipsos homines indebite prægravari vobis mandamus, quod homines libertatis prædictæ, seu alios homines terræ nostræ prædictæ, ad respondendum coram vobis in scaccario prædicto de hujusmodi transgressionibus, convencionibus, contractibus, debitis, seu compotis, nisi tangant nos vel*

A. D.

1460.

None shall sue any action in the exchequer, unless a minister, or servant to a minister of record there, on pain of 10l.

A. D.
1460.

aliquos ministrorum nostrorum scaccarii præd. qui in eodem scaccario deserviens fuerit nullatenus compellatis, seu compelli faciatis contra legem & consuetudinem supradictam. Teste meipso apud Westm. vicesimo die Octobris anno regni nostri Angliæ 30. Regni vero nostri Franciæ decimo septimo. The which writ and the commandment of the King therein openly expressed notwithstanding, yet the men of the liberty of Methe specified in the said writ are continually distrained by writs of *capias*, and distress coming out of the same exchequer of this land, at the suits of such person and persons which are named in the same writs yeomen or ministers of the said exchequer, where they are not yeomen or ministers, to answer there in pleas of trespass, contracts, debts, and accompts, against the tenor of the said writ, and the due execution thereof in time before, and to the over great and importable hurt of the said men: Wherefore the premises considered, it is ordained by authority of the said Parliament, That whosoever do sue any action in the King's exchequer in Ireland, unless the plaintiff be minister to the said exchequer, or servant to any minister of record of the said exchequer, that he shall lose ten pounds, the one half to the King, and the other half to the party that will sue, so oft as he doth sue any such action.

Mr. 28 H. 6. 4.

Statuta, Ordinationes, & Actiones, in quodam Parlamento domini Regis apud *Dublin*, die veneris proximo ante festum sancti *Lucæ* Evangelistæ, anno Regni Regis EDWARDI quarti secundo, coram *Rolando Fitz Eustace*, milite, domino de *Portlestir* deputato Georgij ducis *Clarenciæ* locumtenentis, ipsius domini Regis terræ suæ *Hiberniæ*, tento ac ibidem finito & determinat. ædit. in forma quæ sequitur. Anno Dom. 1462.

An Act that certain Money shall be received of the Issues and Profits of the Courts for the Repairing of the Hall of the Castle. Rot. Parl. cap. 4.

A. D.
1462.

Certain money to be received yearly out of the profits of the courts, by the clerk of the works of the castle of Dublin, for repair thereof.

AT the request of the commons, whereas the castle of the King our sovereign lord of his city of *Dublin*, in which the courts of our said sovereign are kept, is ruinous and like to fall, to the great dishonour of our said sovereign lord: Whereupon the premises considered, it is ordained by authority of the said Parliament, That fourty shillings yearly be taken and received of the issues and profits of the hamper of our said sovereign lord of his chancery of Ireland; and fourty shillings yearly to be received of the issues and profits of his chief place; and fourty shillings yearly to be

be received of the issues and profits of his common place; and three pounds yearly to be received of the issues and profits of his exchequer in his said land, and twenty shilling yearly to be received of the issues and profits of the masters of the mint for the time being, and the same to be delivered yearly to the clerk of the works of the said castle for the time being, and that he shall accompt yearly before the barons of the exchequer of the King in Ireland according to the ancient form, and that all the leads of the isles of the hall of the said castle be sold by the treasurer of Ireland to make and repair the said hall.

A. D.

1460.

Stat' Ordination' & Action' in quodam Parliament' dom' Regis apud *Weys*, die *Veneris* prox' ante festum *S. Martini* episc'. Anno regni Regis *EDWARDI* quarti tertio, coram *Thoma Desmond*, comit. *Desmond*, deput' *Georgii* ducis *Clarencie* locumten' ipsius dom' Regis terræ suæ *Hibernie* tent', ac abinde die *Jovis*, tunc prox' sequent' ad civitat' dicti domini Regis *Waterford* certis legit' causis adjornato & contin', ibid' die *Lunæ* ad tunc prox' sequent' tenend', ac exinde die *Sabbati* in festum sancti *Edwardi* Regis, tunc prox' sequente ad villam de *Naas*, aliis legitimis de causis simili modo adjornat' & contin', ibid' tenendo die *Lunæ* prox' ante festum *S. Matthie* Apost' tunc prox' sequente, nec non deinde die *Veneris* ad tunc prox' sequ. ad civit' præd' dom' Regis *Dublin*, certis aliis legit' de causis simili modo adjor. & contin' ibid' etiam tenend' die *Lunæ* prox' ante festum *S. David* episc. tunc prox' sequent', & die *Sabbati* ad tunc prox' sequen' finit' & terminat', ædit' in forma quæ sequitur' Anno Dom. 1463.

C H A P. I.

An Act whereby the Lords and Commons of the Parliament bath Priviledge for certain Days before and after the said Parliament. Rot. Parl. cap. 45.

AT the request of the commons, where the priviledge of every Parliament, and great council of this land of Ireland, is, That no minister of the said Parliament, coming or going to the said Parliament, during fourty days before, and fourty days after

A. D.

1463.

Lords,
proctors and

A. D. 1463. the said Parliament finished, should not be empleaded, vexed, nor troubled by no mean. This notwithstanding, one Lawrence Tathe, esq; hath arraigned assise of *novel disseisin* against John Barnewall, being knight for the county of Dublin in this present Parliament, as it is informed, for two water-mills in Athirde, in the county of Lowthe, the writ being returnable before our soveraign lord the King, in his chief place in Ireland, to the intent that he may recover the said two mills against the said John Barnewall by default, contrary to reason, and conscience, and the priviledge aforesaid: Whereupon the premises considered, it is ordained, enacted, and established by authority of the said Parliament, That the said writ of assise so taken against the said John in any other court of the King, or before his commissioners, in whatsoever manner it be, against him solely, or against him jointly with any other person or persons whatsoever, and all the records thereunto pertaining, be deemed, adjudged, and holden void, and of none effect, in all points, as it had never been sued nor taken against him sole or him jointly with any other person or persons whatsoever.

commons of Parliament to be priviledged against actions, forty days before and after the Parliament.

II. And further, it be also enacted and established, That every minister, as well lords, proctors, as commons, be discharged and quitted of all manner actions had or moved against them, or any of them, during the time aforesaid, and this to endure for ever.

CHAP. II.

An Act what Fees Attornies in the King's Court shall take, and what Fees shall be paid for Writs and other Records. Rot. Parl. cap. 77.

Attornies and clerks of the King's courts, shall not take more than 12d. fee; nor more than 4d. for the copy of every writ original: and for the copy of other bills and records, by the discretion of the judges where, &c.

ITEM. At the request of the commons, where the land of Ireland in effect is waste and destroyed by the Irish enemies and English rebels of the King, and the laws of the King within the said land so diminished. That notwithstanding preignotaries and attornies of the King, except the chancery, had so largely taken their fees and wages for copies of writs and records, as they did, when this land of Ireland was in a far better point, and at their pleasure, the which is a great hurt and loss for the faithful liegepeople of the King, inhabiting within this said land, and withdrawing of the laws of the King: Whereupon, the premises considered, it is enacted, ordained, and established by authority of the said Parliament, That every clerk or attorney, in every court that the King hath, shall take for his attorneyship in every plea by writ or bill twelve pence only, or under; and for the copy of every writ original only four pence, or under; and for the copy of other bills and records, by the discretion of the judges where the matter lyeth, and not at the will and judgment of the clerk that hath the said writs, bills, and other records in keeping. And if any clerk, attorney, keeper of writs or records aforesaid, do or take contrary to the

the premises, or refuse to be attorney (in case he be not detained with the contrary part) or refuse the copy of any original writ, bill, or other record, as is aforesaid, that then the clerk, attorney, keeper of the writs, bills, or other records aforesaid, to lose to the party grieved an hundred shillings, so often as they or any of them offend contrary to these ordinances. And that they be forejudged out of the court in which they are, except the clerks of the chancery aforesaid, for that they ought to labour in the service of the King.

A. D.

1463.

Pain of 100s. to the party, and to be fore-judged the court.

C H A P. III.

An Act against clipped Money. Rot. Parl. cap. 24.

AL SO at the request of the commons, that inasmuch as the groat, the half-groat, and the peny, and other coins are lost and destroyed by divers and many clippings; It is ordained, established, and enacted by the authority of the said Parliament, That money clipped shall not be taken in and by no manner of payment after the feast of the Purification of our Lady next ensuing, but that it be after the said feast utterly void, dampned, and determined no coyn of the King; and that it shall be lawful to every man to refuse the same, and that thereupon a proclamation shall be made in the said Parliament, and upon the same proclamation, writs shall be directed to the sheriffs, mayors, bayliffs, soveraigns, portrisses, and all other officers and ministers within the said land of Ireland, to make proclamation upon this present act. And thereupon proclamation was made in the said Parliament according to the said act or ordinance. *Ir. Stat. 25 H. 6. 6.*

Clipped money not to be taken in payment, or accounted the King's coin.

Proclamation made thereof.

Statutes established in a Parliament holden at Trym the Wednesday next after the Feast of St. Laurence the Martyr, anno quinto EDWARDI quarti, before Thomas Earl of Desmond, Deputy to George Duke of Clarence, the King's Lieutenant of Ireland, Anno Dom. 1465.

C H A P. I.

An Act that like Challenges shall be made touching the Feoffee to use, as should be touching him, to whose Use he standeth infeoffed. Rot. Parl. cap. 10.

AT the request of the commons, that where diverse persons enfeoffed chapleins and others to their use and profit of divers lands, the which they claim, because whereof they bring writs and other suits against other men, the which be very tenants of the same

A. D.

1465.

Persons sued by feof-

and

A. D. 1465. and others, to this intent, that the said tenants ought not to have any challenge in law against the officers, that is to say, sheriefs, coroners, or jurors : whereupon the premisses considered, it is ordained by authority of the said Parliament, That the person or persons, the which be sued or grieved by such suits and feoffments, may have the same challenge against any sheriff in making of their ray, baylif, or any other, with that, that he that is sued or grieved may aver, that the said jurors, sheriff, coroner, or any other officer, is gossop kinne or allied, or any other lawfull challenge, the which was good in law against him to whose use the said parties sued, if he had sued the same action in his owne proper name.

fees to use,
may take the
like chal-
lenges as if
sued by the
feoffors.

C H A P. II.

An Act that it shall be lawful to kill any that is found robbing by Day or Night, or going or coming to rob or steal, having no faithful Man of good Name or Fame in their Company in English Apparel, &c.
Rot. Parl. cap. 12.

Rep. 10. &
11. C. 1. 6.
Lawful to kill
persons robbing
or going to rob,
and to have head
money.
28 H. 6. 3.

I T E M, at the request of the commons, that for that that diverse great robberies, thefts and murders, be done from night to night by theeves upon the faithful liege-people of the King within this land of Ireland, specially and most commonly in the county of Meath, the which hath caused and made great desolation and waists in the said county, it is ordained and established by authority of the said Parliament, That it shall be lawful to all manner of men, that find any theeves robbing by day or by night, or going or coming to rob, or steal, in, or out, going, or coming, having no faithful man of good name and fame in their company in English apparel, upon any of the liege-people of the King, that it shall be lawful to take and kill those, and to cut off their heads, without any impeachment of our sovereign lord the King, his heirs, officers, or ministers, or of any others, and of any head so cut in the county of Meath, that the cutter of the said head and his ayders there to him, cause the said head so cut to be brought to the portresse of the town of Trim, and the said portresse to put it upon a stake or spear upon the castle of Trim, and that the said portresse shall give his writing under the common seal of the said town, testifying the bringing of the said head to him. And that it shall be lawful by authority of the said Parliament, to the said bringer of the said head, and his ayders to the same, for to distrain and levy by their own hands, of every man having one plough-land in the barony where the said thief was so taken, two pence, and of every man having half a plough-land in the said barony, one penny, and every other man having one house and goods to the value of fourty shillings, one penny, and of every other cottier having house and smoak, one halfpenny. And if the same portresse refuse for to give the said certificate by writing, freely under his said common seal, then the said portresse to forfeit to the said bringer of the said head ten pounds, and that he may have his action by bill or by writ, in whatsoever court shall please the bringer of the said head, for the said ten pounds, against the said portresse. Rep. 11 Car. 6.

C H A P. III.

A. D.

1465.

An Act that the Irishmen dwelling in the Counties of Dublin, Myeth, Vriel, and Kildare, shall go apparelled like Englishmen, and wear their Beards after the English Maner, swear Allegiance, and take English Surname. Rot. Parl. cap. 16.

AT the request of the commons it is ordeyned and established by authority of the said Parliament, That every Irishman, that dwells betwixt or amongst Englishmen in the county of Dublin, Myeth, Vreill and Kildare, shall go like to one Englishman in apparel and shaving of his beard above the mouth, and shall be within one year sworn the liege man of the King in the hands of the lieutenant or deputie, or such as he will assign to receive this oath, for the multitude that is to be sworn, and shall take to him an English surname of one town, as Sutton, Chester, Trim, Skryne, Corke, Kinsale: or colour, as white, blacke, browne: or arte or science, as smith or carpenter: or office, as cooke, butler, and that he and his issue shall use this name, under pain of forfeiting of his good yeareley, till the premisses be done to be levied two times by the year to the King's warrs, according to the discretion of the lieutenant of the King or his deputy.

The Irish shall use English apparel and names, and swear allegiance.

C H A P. IV.

An Act that every Englishman and Irishman that dwelleth with Englishmen, and speaketh English, betwixt sixty and sixteen years, shall have an English Bow and Arrows. Rot. Parl. cap. 17.

ITEM, at the request of the commons, that consideration had to the great number of Irishmen, that exceed greatly the English people, that in force and augmentation of the King's lieges, it is ordeyned by authority of the said Parliament, That every Englishman and Irishman, that dwell with Englishmen and speak English, that be betwixt sixty and sixteen in age, shall have an English bow of his own length, and one fistmele at the least betwixt the necks, with twelve shafts of the length of three quarters of the standard, the bowes of ewe, wych-hassell, ashe, awburne, or any other reasonable tree according their power, and the shafts in the same maner, within two moneths next after the publication of this estatute, on pain of two pence a man from moneth to other, till that he shall have and continue the bow and shafts, and in lue of the bow and shafts broken and lost to have new, under pain of two pence every moneth till it be done. And yet not prohibiting gentlemen on horseback to ride according their best disposition to ride with spear, so that they have bowes with their men for time of necessitie.

Englishmen, and Irish dwelling with them, between sixty and sixteen, shall have English bows and arrows.

10 H. 7. 9.

A. D.
1465.

CHAP. V.

An Act for having a Constable in every Town, and a Pair of Butts for shooting, and that every Man between sixty and sixteen shall shoot every Holyday at the same Butts. Rot. Parl. cap. 18.

One constable to be chosen in every English town, and butts to shoot at.

AT the request of the commons, it is ordeyned and established by the authority of the said Parliament, That in every English town of this land, that pass three houses holden by tenants, where no other president is, be chosen by his neighbours, or by the lord of the same town, one constable to be president and governour of the same town, in all things that pertaineth to the common rule of the same town, as is in ordinance of night watch, from Michaelmas to Easter yeareley, under pain of three pence every night, and also to ordeyn one paier of butts for shooting, within the town or well neere, upon the costs and labour of the said town, under pain of two shillings from one moneth to other, after the publication hereof, till the constable be made and the butts also, and that every man of the same town, in such hour as the constable or his deputy of his neighbours will assign that is betwixt lx. and xvi. muster before the constable or his deputie at the said butts, and shoot up and down three times every feast day, betwixt the first day of March and the last day of July, under pain of one halfpeny for every day, and that all these paines be levied of their goods or wages, from moneth to moneth, by the constable, to be spent in strengthening of the same town, or otherwise in his default, to be levied by the wardein of the peace, and that the paines lost be spent upon the towns where the said paines riseth.

CHAP. VI.

An Act that no Ship or other Vessel of any foreign Country shall go to fishing in the Irish Countries, and for Custom to be paid of the Vessel that cometh from forreign Lands to fishing. Rot. Parl. cap. 38.

No foreign vessel shall fish in Irish countries without licence.

ITEM, at the request of the commons, that where diverse vessels of other lands fro one day to other, going to fish amongst the King's Irish enemies in diverse parts of this said land, by which the King's said enemies be greatly advanced and strengthened, as well in victuals, harneys, armour, as diverse other necessities, also great tributes of money given by every of the said vessels to the said enemies from day to day, to the great augmentation of their power and force against the King's honour and wealth, and utter destruction of this said land, whereupon the premises considered, it is enacted and ordeyned by authoritie of the said Parliament, That no maner vessel of other lands shall be no time nor season of the yeare from henceforth, from the feast of the nativity of our lord Jesus Christ next coming, go in no part of the said land betwixt the said Irish enemies,

to no maner fishing without one speciall licence of the lieutenant, his deputy, or justice of the land for the time being, or licence of another person having the King's power to graunt such licence, upon pain of forfeiture of the ship and goods to the King. And that whatsoever persons or person, that finde or impeach any of the said vessels rumpants or forfeits against this act, by the authority of the same it be lawful to them so making any claim in the behalf of the King, and approving the said forfeitures by any of the said vessels so to be made, that the King shall have the one moitie of the said forfeiture, and the said persons or person shall have the other without any impeachment, and that all maner vessels of other lands coming in the said land of Ireland a fishing, being of the burden of twelve tunns or less, having one drover or boate, every of them to paye for the maintenance of the King's wars there thirteene shillings foure pence by the year. And all other small vessels, as scarfes or boats, not having drover nor lighter being within the said burden of twelve tunns, every of them shall pay two shillings going a fishing in like manner.

II. Provided alwayes, that no vessel fishing in the north part of Wicklo be charged by reason of this act, and that the lieutenant, his deputie or justice of this land for the time being, shall have the foresaid summes and duties of money so paied, to be employed in the King's wars for the defence of the said land, and that the customers and collectors of the same summes shall accompt before the said justice, lieutenant, or deputie for the time being, or such auditors that shall be for the same appointed by the King or them, and not before the barons of the exchequer in the said land, and that none of the said vessels so comming from other parts in the said land shall not depart out of the said land, till every of them pay their said duties, upon pain of forfeiture of the vessels and goods to the King.

A. D.
1465.

Foreign
vessels com-
ing to fish (ex-
cept in the
north part of
Wicklow)
shall pay duty,
which shall be
accounted for
before the
lieutenant,
&c. not be-
fore the ba-
rons.

A. D. Stat' Ordination' Action' in quod' Parlamento apud
 1467. *Dublin*, coram *Johanne com' Wigorn'*, deput' *Georgij*
ducis Clarencie locumten' dom' Regis terræ suæ
Hibernie, Anno regni Regis EDWARDI quarti sep-
 timo, & ibidem diversis vicibus prorogato & conti-
 nuat' prout sequitur. *Ann. Dom. 1467.*

C H A P. I.

An Act that the Governour for the Time being may pass into Ilands.

Rot. Parl. cap. 21.

The lieuten-
 ant or his
 deputy may
 pass into any
 island near
 Ireland, their
 office and au-
 thority still in
 force.

AT the request of the commons, whereas divers persons hold
 opinion, that if the lieutenant or his deputie of this land of
 Ireland for the time being pass out of this land into any island near
 unto the same, that the office of the said lieutenant or his deputie
 should be void: whereupon the premisses considered, it is ordeyned
 by authority of the said Parliament, That if the lieutenant of this
 said land, or his deputie for the time being, pass out of the said land
 into any island near unto the said land of Ireland, and return again
 into the said land, and by the said passage into the said island, the
 said office shall not be voyd, but the authority of the said lieutenant,
 or his deputy in his said office, shall stand in force and effect. *Ir.*
St. 25 H. 6. 1.

C H A P. II.

An Act that none shall purchase Benefices from Rome. Rot. Parl. cap. 22.

None shall
 purchase be-
 nefices in com-
 mendam from
 Rome.

AT the request of the commons, whereas of auncient time all
 maner of parsons and vicars, having competent benefices, did
 keep hospitality to the honour of God, and to the profit of poor peo-
 ple, and now of late diverse men of the holy church, suing to the
 court of Rome, hath purchased bulls from the holy father the Pope
 to have as well abbeyes, priories, and other dignities, as parsonages
 and vicarages *in commendam*, to the finall extinguishment of divine
 service and hospitalitie: whereupon the premisses considered, in
 eschewing of those mischiefes it is ordeyned, enacted, and established
 by authority of the said Parliament, That whatsoever maner man of
 holy church purchase any maner of dignity, parsonage, or vicarage,
 by bulls of the Pope to hold *in commendam*, and the said bulls, dig-
 nities, parsonages, or vicarages, accept that they shall be out of the
 protection of the King, and forfeit the value of the said benefices du-
 ring his life naturall, notwithstanding whatsoever his benefice be,
 dignity or parsonage, or vicarage, and shall incur in all penalties of
 the statutes or ordinances made against provisors or benefices; and
 that

that no pardon of licence of the King made or to be made be available, but void, if it be not by act of Parliament. And if any maner man of the church occupy now or hereafter do occupy any parsonage or vicarage by way of *commendam* by the bulls apostolique, if it be of his owne collation, that he shall make collation thereof within six moneths; and if he do not, that then the dean and chapter of the diocese, in which diocese the said benefice is, shall make collation of the said benefice within six moneths then next ensuing. And if the said dean and chapter be negligent, and make no collation of the said benefice within six moneths, as before is said, that then it shall be lawful to the King to present to the said benefice for that time, and as often as the case require, as is aforesaid.

A. D.

1467.

not to be pardoned but by act of Parliament.

C H A P. III.

An Act, whereby Letters Patents of Pardon from the King to those, that sue to Rome for certain Benefices, is void. Rot. Parl. cap. 23.

ITEM, at the request of the commons it is ordeyned and established by authority of the said Parliament, That all maner letters patents of the King of pardons or pardon granted by the King, or hereafter to be granted to any provisor, that claim any title by the bulls of the Pope to any maner benefices, where at the time of the impetrating of the said bulls of provision the benefice is full of an incumbent, that then the said letters patents of pardon or pardons be void in law and of none effect.

Letters patent of pardon to all who claim from Rome benefices at the time full of an incumbent, void.

C H A P. IV.

An Act for the Removing of the Exchequer and Common Pleas.

AT the request of the commons it is ordeyned by authority of the said Parliament, That the lieutenant of this land, or his deputy for the time being, shall have power to remove the eschequer and common place of the King to such places, as shall seem to him most necessary and expedient, by the garnishment of twentieth and eight dayes, all maner of records and proces continued and saved, how or wheresoever the writs of the King of any of the said places bear date or be retornable; any statute, act, or ordinance made to the contrary notwithstanding.

The lieutenant, &c. may by 28 days garnishment, remove the exchequer or common pleas; all records and process continued and saved.

A. D. Statut' Ordination' & Actus edit' in Parlamento tent:
 1468. apud *Drogheda* die Lunæ proximo post festum Sancti
Michaelis Arch-angeli, an' regni Regis EDWARDI
 quarti octavo. Anno Dom. 1468.

C H A P. I.

An Act concerning Rape. Rot. Parl. cap. 70.

The sta-
 tute made in
 England, 6
 Ric 2. 6.
 concerning
 rape, confirm-
 ed and made
 of force in
 Ireland.

WHEREAS it is so, that by a statute made in England in the
 time of Richard the second, late King of England, in the sixt
 year of his reign at Westminster it was ordained amongst other
 things in these words following: viz. *Quod ubicunque & quandocun-*
que dominæ filia nobilium & aliæ mulieres de cetero raptantur, & post
hujusmodi raptum hujusmodi raptoribus consenserint, quod tam raptores
sive rapientes quam raptæ, & eorum quelibet, de cetero inhabilitentur; &
inhabiles sint ipso facto ad omnem hereditatem seu conjunct' feoffamentum
post mortem virorum & antecessorum suorum habend' vel vindicand'. Et
quod statim in hoc casu proximus de sanguine eorundem rapientem & rap-
torum cui hereditas dos & conjunct' feoffament' descendere, revertere, aut
remanere deberet, post mortem rapientis vel raptæ habeat titulum immediate
statim scilicet post raptum intrandi super rapientem vel raptam ac eorum
assignatos, & tenentes in eadem hereditate dote seu conjunct' feoffamento
illa hereditarie tenend': & qd' viri hujusmodi mulierum, si viros habue-
rint superstites, & si non habuerint viros quod tunc patres vel alij de
sanguine eorundem propinquiore de cetero habeant sectam prosequendi,
& sequi poterunt versus eosdem malefactores & raptores in hac parte,
ad ipsos convincend' de vita & membris, quamvis eadem mulieres post
hujusmodi raptum dictis raptoribus consenserint, prout in dicto statuto
plane liquet: Having consideration that the people learned in this
 kingdom have conceived some doubt, whether the said statute made in
 England ought to be of force in this land without a confirmation
 thereof in this land: in avoiding of all inconvenience and mischief,
 which might happen because of the ambiguity of the said statute, it
 is enacted, confirmed, and ratified by authority of the said Parli-
 ament, That the said statute be adjudged and approved in force and
 strength, and that the said statute may be of force in this land from
 the sixt day of March last past: and that from henceforth the said
 act, and all other statutes and acts made by authority of Parliament
 within the realm of England, be ratified, and confirmed, and ad-
 judged by the authority of this Parliament in their force and strength,
 from the said sixt day of March.

10 H. 7. 22.
 All statutes
 made in Eng-
 land confirm-
 ed and ad-
 judged in
 force in Ire-
 land.

C H A P. II.

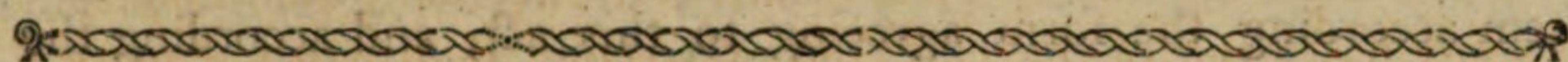
A. D.

1468.

An Act against Ingrossers and Regrators of Corn. Rot. Parl. cap. 76.

WHEREAS diverse persons having themselves great abundance of all maner of corn have used to buy in the common market great store of corn to granell up the same to sell upon a dearth, and also diverse other persons called badgers, have used to goe to one market and have bought great store of wheat and corne at one price, and shortly after have taken the same corne unto another market, and have there sold at a more deer price by two pence or four pence in the bushell, which hath been the greatest means of dearth within this land, to the great intollerable hurt of the poor inhabitants of this land of Ireland: Therefore it is ordained and established by authority of the said Parliament, That no man, having sufficient store of corn of his own, shall buy any maner of corne in the common market, nor that no other person nor persons called badgers shall buy any maner of corne in the form aforesaid, upon such payn as is made against the regrators of the King's market, and they and every one of them to be judged in the law as common regrators of the market. Also that it shall not be lawfull to no man, of what condition soever he be, which will buy any maner of corne in the common market to sell the same againe in the same market, nor in no other market, upon pain to be adjudged in law as a common regrator of the market.

None shall buy corn in the maket, having sufficient store of his own; nor shall any person buy corn in market to sell again in the same or other market, on pain of being adjudged common regrators.



The twelfth Year of Edward the Fourth.

Stat' Ordination' & Action' in quod' Parlamento don' Regis apud le Naas, die Veneris prox' post festum Sancti Andree apost' Anno regni Regis EDWARRI quarti duodecimo, coram Thoma Fitz Morice comite Kildare. deput' Georgij ducis Clarencie locumten' ipfus domini Regis terræ suæ Hiberniæ tent' prorogat' & abinde ad civitat' ejusd' domini Regis Dublin usque diem jovis prox' ante festum Sancti Gregorii Papæ tunc prox' sequent' adjorn', ac ibid' diversis vicibus prorog' & continuat' ut patet inferius nec non finit' & terminat' in hæc verba. Anno Dom. 1472.

C H A P. I.

An Act for prohibiting Staple Wares to be carried into Scotland without paying Custome. Rot. Parl. cap. 24.

AT the request of the communes, whereas diverse persons within the countie and libertie of Ulster from day to day doth lade hydes and other staple merchandises, and them carryeth to Scotland, not paying the custom of the King our soveraign lord the King, called

A. D.

1472.

Staple merchandise not

A. D. 1472. to be carried into Scotland out of Ulster without paying custom, on pain of forfeiture of the merchandise or the value. the cocket, as it is done in Dublin, and Drogheda, and in all other places, by the which the King is defrauded of his custome from day to day, to the disherison and great prejudice of our said sovereign lord: whereupon the premisses considered, it is ordained, enacted, and established by authoritie of the said Parliament, That if any person or persons, carry any hides or any other staple merchandise out of Ulster into Scotland, not paying the custome of the King to the customers of the King, or his deputie assigned to receive the custom of the King there, that he or they so lading and carrying hydes or any other staple merchandises into Scotland aforesaid, not customed, shall forfeit unto our said sovereigne lord the said hydes, or any other staple merchandise so laden and carried, or the value of them.

The justices of B. R. to inquire by 12 men of the county next adjoining to Ulster.

II. And for that the writs of the King, ne the law of the King, nor court is not used betwixt the people of the King there: It is ordeyned by the said authority, That the justice of the King's bench for the time being shall have full power to enquire by twelve men of the next county adjoyning to Ulster of all persons and of every person, which lade and carry hydes or other staple merchandises to Scotland not customed, as well in times past as in time to come, and all procefs upon the said presentment or presentments, and every of them, to make unto the said sherife of the said county adjoyning to Ulster, as if the said presentment or presentments have been taken within the said county or liberty of Ulster, and procefs upon them made to the said sherife or seneschall of the said county and liberty of Ulster: and also to determine all the said presentments and every of them according the form agreeing to this act, and according the course of the common law, and that the customer of the King in Ulster have his action to the value of the said custome against all such persons, which have taken any staple merchandises before this time into Scotland contrary to the statutes therein made.

C H A P. II.

An Act for bringing Bowes into this Realm from the Realm of England by Merchants and others. Rot. Parl. cap. 45.

Merchants shall bring bows into Ire and. Rep. 10 C. 1. 22.

AT the request of the commons, whereas the land of Ireland is desolated of bowes, to the suportation of the said land, and defence of the said commons against the Irish enemies of the King, and English rebels of the same: whereupon the premisses considered, it is ordained and enacted by authority of the said Parliament, and proclaimed in the same, That every merchant and passenger, that bring merchandises into this land of Ireland out of England to the sum of an hundred pound, that he shall buy and bring with him into the said land in bows to the value of an hundred shillings, and so following after the rate under or over to the sum of twenty pounds. And if any merchant or passenger bring any merchandise in the said land, and bring with him no bows as is afore rehearsed, that the said merchant shall lose and pay the value of the said bowes, the one moyety thereof to the King, and a moyety to the searchers of the same for the time being. And that the said searchers may have an action of debt against the said persons therefore, in any court that the King have, as well for the King as for the said searcher: and that by the said authority it is ordainded, That the bayliffs of the city of Dublin for the time being be searchers of the same within the franchise of the said city, and that the sheriffs of the town

town of Drogheda in like manner upon the same, within the franchise of the said town, and so in like manner the officers of the same in every city and town within this land of Ireland. And if the said searchers in any city and town within this said land be negligent in exercising of the said search, that they shall loose to the King for every default fourty shillings. And the penalty of this act shall not be against any person until the first day of June next coming, and that the clerk of the Parliament make writs of proclamation to Dublin, Drogheda, and every other town, necessary upon the premisses, and that the searchers for the time being present in the King's bench, or in the exechequer of the King in Ireland, upon the pain of fourty shillings, the names of all the merchants or passengers, which bring no bows, as before is rehearsed, and thereupon proclamation was made in plain parliament accordingly. *Rep. 10 Car. 1. 22.*

A. D.

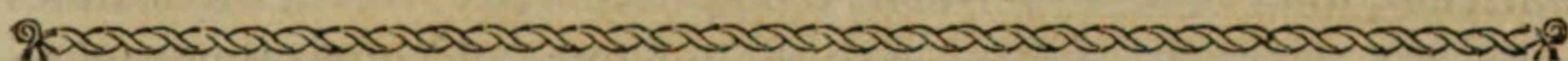
1472.

C H A P. III.

An Act that no Grain be laden out of the Realm, unless the same be at a certain Price.. Rot. Parl. cap. 47.

ITEM, at the request of the commons, for that there is so great lacke of money in this land, and also the grain are enhansed to a great price, because of great lading from day to day used and continued within this realme; by the which great dearth is like to be of graines, without some remedy be ordeyned in the said Parliament: whereupon the premisses considered, it is ordeyned, enacted and established by authority of the said Parliament, That no person or persons lade no grain out of the said land to no other parts without if one peck of the said grains exceed the price of ten pence, upon pain of forfeiture of the said grain or the value thereof. And also the owner of the ship, within the which the said grains are laden, shall forfeit the said ship (that is to say) the one moyety of the said ship and grains to the King, and the other moyety to the party that seise, or take the said grains or ship.

Grain not to be transported out of the kingdom when the price above 10d. per peck, on pain of forfeiture thereof, or of the value, and also of the ship.



The fifteenth Year of Edward the Fourth.

Statut' Ordination' & Actus in quodam Parlamento dom' Regis apud *Dublin*, die Veneris proxim' post festum Sanctæ *Margaritæ* virginis, ann' regni Regis EDWARDI quarti quint' decimo coram reverendo in Christo patre *Wilhelmo* episc. *Meith*, deput' excellentis principis & domini *Georgij* ducis *Clarenciæ* locumtenent' domini Regis terræ suæ *Hiberniæ* tent. ædit. in hæc verba. *Anno Dom. 1475.*

An Act prohibiting Distresses to be taken contrary to the common Law. Rot. Parl. cap. 8.

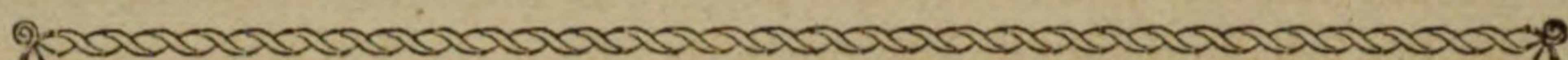
AT the request of the commons, where in this land diverse persons taketh pledges, and the said pledges do convey, take, and convert to their use, contrary to right, law, and conscience: whereupon the premisses considered, it is enacted and adjudged by authority of

A. D.

1475.

A. D. 1475. ^{Taking} the said Parliament, That whatsoever person or persons, of what degree he or they be, take any such pledges contrary to the common law, that by authority of the said Parliament he or they, that so take or cause the said pledges to be taken, be adjudged felon or felons of our said sovereign lord the King attainted, and their goods and chattels, lands and tenements, forthwith upon the said act done to be forfeited to our sovereign lord the King, unless he, from whom the said pledges shall be taken, be not amenable to the common law.

^{unless from one not amenable.}

*The eighteenth Year of Edward the Fourth.*

Parliamentum tent' apud le *Naas* die Veneris proxim' ante festum Sanctæ *Petronillæ* virginis, anno regni Regis EDWARDI quarti decimo octavo, coram *Geraldo* com' *Kildare* justic. domini Regis terræ suæ *Hiberniæ* ac ibidem diversis vicibus continuat. & prorogat. videlicet. *Anno Dom. 1478.*

C H A P. I.

An Act whereby Distresses taken for Rent may be sold. Rot. Parl. cap. 12.

A. D. 1478. ^{Distress, not released in eight days, may be appraised by four men of the lordship, and if in eight days next after the arrears of rent not paid to, or agreement made with, the lord, he may take it as appraised, for his rent and damages.} *Ir. 10 C. 1. 25. 10 & 11 C. 1. 7.*

ITEM, at the request of the commons, that whereas diverse lords spiritual and temporal, and free tenants, are oftentimes hurt and put to delays and losses of their rents by distresses and taking of distresses, that is to say, when the distresses are taken, often times they dye, and often times break the pound, and often times taken with thieves and others, and often times the tenant, from whom the distresses are taken, have no more distresses nor other goods, by which he may be distrained, so as often times are both the lord and tenant hurt, for which it is ordained and accorded by authority of this present Parliament, That when any lord henceforth take any distress, if the distress be not quit within eight days after the taking, that then it shall be lawful to the lord to call before him or his officer four men of the same lordship, and to make them swear before him or his seneschal, or his receiver, upon a book, to praise the distress or distresses so taken; and if he, from whom the distress is taken, do not come within other eight days after the presentment, and pay his duty, or make no agreement with his lord, or his officer, then the lord to take it as it is praised, for his rent with his damages. And if the distress be better than the rent with the arrerages, the lord to restore the surpluse unto the tenant, and if it be of lesser price than the value of the rent with tharrerages, the tenant to pay the surpluse, or be again distrained.

^{If the distress above the rent, the surplus to be restored: if deficient, the tenant to be distrained again.}

An Act concerning the choosing of Knights and Burgeses of Parliament. Rot. Parl. cap. 5.

WHEREAS in a Parliament lately holden at Dublin as it is said, and in diverse other Parliaments before that at Dublin and other places as it is said, it is ordained and established, That no manner of man should be admitted proctor into any Parliament for any clergy, if he were not beneficed within the dioceses there, nor knight for a county, if he were not dwelling within the said county, and might dispend forty shillings within the said county yearly; citizen for city, if he were not a citizen dwelling within the same city, nor burgeses for borough town, if he were not dwelling within the said town: and if the contrary were done, that the Parliament, in which any such person were admitted, and were not inhabitant according to the acts and ordinances made in the said Parliaments, shall be void and of no force nor effect in the law, as in the said acts and ordinances more fully appeareth. The premisses considered, and how great a distance, and how great peril it is of the King's Irish enemies and English rebels, as well by sea as by land, and openly known how great mischiefs so oftentimes have been done in the ways, as well in the south part and the north as in the east and in the west part of the said land, by reason whereof they may not send proctors, knights, citizens nor burgeses, according to the said acts or ordinances: wherefore if any such acts be, it is ordained and established by the authority of this present Parliament, That the said acts or ordinances so made be void and of no effect in law. And that by the same authority all manner of lords spiritual and temporal, deans, chapters, clergies, and sheriffs, seneschals and sheriffs of crosses, mayors, bayliffs and portreeves, which have not returned their writs before time, that they shall return their said writs upon their peril at the next prorogation or adjournment of this Parliament, and that all proctors, knights, citizens, and burgeses, so to be returned, to be admitted able, lawful, and effectual, the said acts or ordinances notwithstanding.

Acts formerly passed, that not one beneficed in the diocese should not be admitted proctor; nor knight, citizen, or burgeses not resident, and such knight to be able to spend 40s. yearly, declared void, from the difficulty of observing them. And all knights, &c. returned at the next prorogation or adjournment of this Parliament, to be admitted lawful and effectual.

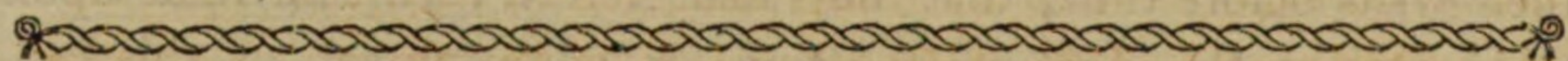
*Ir. 33 H. 8.
1. Sess. 2.*

A. D. ^{1480.} Statut' Ordination' & actus edit' in Parlamento tento apud *Dublin* die Lunæ proximo post festum translationis sancti *Thomæ* martyris, anno regni Regis EDWARDI quarti vicesimo, coram *Geraldo* comite *Kildare* deputato dilect' & charissimi filii dicti domini Regis *Richardi* felopie ducis eborum locumtenent' ipsius domini Regis terræ suæ *Hiberniæ*. Anno Dom. 1480.

An Act to restrain the carrying of Hawkes out of this Kingdom.
Sessio secunda.

Merchants
exporting
hawks shall
pay for a gos-
hawk 13s. 4d.
a tiercel 6s. 8d.
for a falcon
10s. and
poundage ac-
cordingly, on
pain of 40s.

WHEREAS hawkes of diverse natures as goshawks, tiercels, and of other natures, were lately of great plenty within the land of Ireland, to the great pleasure of our sovereign lord the King, and other lords and gentlemen of his realm of England, and of his land of Ireland: Now so it is, that merchants as well of the said realm of England, as of the said land of Ireland, have taken so many hawkes out of the said land, rather for merchandises to be sold than for any other cause, insomuch that no hawks may be had to please our sovereign lord the King and his lords. Wherefore the premises tenderly considered, it is ordained, adjudged, and enacted by authority of the said Parliament, That whatsoever merchant shall take or carry any hawk out of the said land of Ireland, shall pay for every goshawke thirteen shillings and fourpence, for a tiercel six shillings eight pence, for a falcon ten shillings, and the poundage accordingly. And that every merchant that shall do contrary to this act, so often as he so doeth, shall incur the penalty of forty shillings, the one half to the King, and the other half to the finder or informer.



The eighth Year of Henry the Seventh.

Parliamentum tentum apud *Dublin* die Veneris proximo post festum nativitatis sanctis *Johannis Baptiste*, Ann' regni Regis HENRICI septimi octavo coram *Waltero* archiepiscopo *Dublin*, Deputato, *Jasparis* ducis *Bedfordiæ* & com' *Pembrochiæ* locumten' dom' Regis terræ suæ *Hiberniæ*. Anno Dom. 1493.

A. D. ^{1493.} *An Act for the Cleansing of the Water-Course in St. Patrick's Street,*
Rot. Parl. cap. 6.

Every in-
habitant on
the Poddell
shall cleanse
the precinct
of his tene-
ment on pain

AT the supplication of the dean and chapter of the cathedral church of saint Patrick's of Dublin, inasmuch as the said church and college is of the foundation of our sovereign lord the King, and

and the said church and close is scituated and standeth in a low valley, notwithstanding by the grave consideration and diligent provision of the said dean and chapter, fearing the violence of the waters and floods, to their great charge and cost for the safeguard of the said church and close, have made divers issues and gowts for the free avoidance of all such suddain floods; also there was of old time and now there are two rivers or passages of waters, one upon every side of Saint Patrick's street called the Podell, through which all such waters had a lawful course and large passage without any impediment, until now of late that the said rivers and podells be filled and stopped, as well by the inhabitants of houses inhabiting upon the said podells in estopping or casting of stoppance out of their houses, as doun of beasts, as by tanners making ditches or damms to water their skinnes, insomuch as they have estopped both parts of the podell, that the water may not have his lawful free course and passage, so that within a few years and late dayes the said church and colledge have been furrounded with great superfluities and abundance of waters to the great hurt and damage of the said dean and chapter and colledge: the premises considered, it is enacted, established, and adjudged by authority of this present Parliament, That every man, which doth dwell, or inhabit, or hath a house or shop upon the said podell, upon every part thereof, shall cleance and scour the said precinct of his tenement or inheritance to the said channell, as it was of old time, within two moneths after this present act past, upon pain of twenty shillings, to be levied by the proctor of the church of Saint Patrick aforesaid for the time being, without any other authority or impediment, and henceforth upon the said pain in like manner to be levied, that no man nor woman by no meanes estoppe nor disturbe the course nor free passage of the said water.

A. D.

1493.

of 20s. to be levied by the proctor of the church of St. Patrick.

* *The tenth Year of HENRY the Seventh.*

Stat' Ordination' & Actus in quod' Parlamento apud Drogheda, die Lunæ prox' post festum sancti Andree apost. Anno regni Regis HENRICI septimi decimo, coram Edwardo Ponynys milite deputato ipsius domini Regis terræ suæ Hiberniæ edita in hæc verba, Anno Dom. 1495.

C H A P. I.

An Act authorising the Treasurer to make all Officers as the Treasurer of England doth. Rot. Parl. cap. 5.

A. D.

1495.

ITEM, be it ordained, enacted, and established in this present Parliament by the assent of the lords spiritual and temporal, and the commons of this land in this Parliament assembled, That the trea-

VOL. I.

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forer

The treasurer of Ireland shall have as ample power as the treasurer of England; as

* The first acts in the English language were passed in this Parliament.

A. D. 1495. forer of the said land of Ireland, from henceforth have as ample and large power in all things concerning or belonging to his said office, as the treasurer of England hath in his office, as for to make all customers, controllers, farmors, and other officers accomptants for the most approvement and encrease of the King's revenue of this land; and over that it be ordained and established by the said authority, That all manner act or acts, made afore this time by the authority of any Parliament, holden within the said land, concerning the election or making of the sheriffs and escheators of the shires of the said land, and all other officers accomptants, and farmours accomptants, contrary to this present act, be revoked, adnulled, and deemed void and of none effect in the law. And that it be ordained and established by the authority afore said, that the treasurer of Ireland from this time forward every year shall make a declaration of his accompt of the revenues of the same land before the barons of the King's exchequer in Ireland, and before such of the Kings counsaill there, as shall be appointed or named by the King's lieutenant or deputy for the time being, and the same declaration to be certified into the King's Exchequer in England, and there before the barons of the King's Exchequer in England the said account to be finished and determined. And that this present act extend not ne be prejudicial to the mayor, bayliffs, and commons of the city of Develyn, ne to their successours, ne to no city nor town privileged within this land.

to make all officers accountants, &c. for increase of the King's revenue.

All acts of Parliament, concerning the making of sheriffs, escheators, and other officers accomptants contrary to this act, made void.

The treasurer shall yearly make his account of the revenues before the barons of the Exchequer, and the King's counsel appointed by the lieutenant, and certify the same into the Exchequer in England, to be finished there.

This act not to extend or be prejudicial to the mayor, &c. of Dublin, or to any city or town privileged.

CHAP. II.

An Act that the Chancellour and Treasurer, Judges of the King's Bench and Common Place, the chief and second Baron of the Exchequer, the Clerk or Master of the Rolls, and all Officers Accomptants, to have their Offices but onely at the King's Will and Pleasure. Rot. Parl. cap. 6.

The chancellor, treasurer, judges, barons, master of the rolls, all who shall have the ministration of justice, and all officers accountants shall have their offices only during the King's pleasure.

ITEM, prayen the commons, that in consideration of the great and manifold inconveniences that late were attempted there contrary to all natural allegiance, to the King's grievous displeasure, by the procurement, counsaill, and exhortation of such officers, as late had administration of justice under the King in that land, and such as were officers accomptants, and had their offices granted unto them by patent for term of life, by reason whereof they were the more bolder to misuse their such authority, Therefore be it ordained, enacted, and established by the authority of this present Parliament, That from this time forward no maner person or persons, that shall have ministration of justice, that is for to say, the chancellour, the treasurer, judges of the Kings bench and Common place, the chief and secondary baron of the Exchequer, the clerk or the master of the rolls, and all maner officers accomptants, have any authority by patent in their such offices, but onely at the King's will and pleasure.

sure: And if any grant afore this time or hereafter, be made of any A. D. of the said offices, unto any person or persons there, contrary to the 1495. premises, the same to be deemed void and of none effect in the law, All grants and acts to the contrary, void. and by the same authority all and every maner act or acts before this time made to the contrary hereof to be revoked and deemed void and of none effect in the law.

C H A P. III.

An Act annulling a Prescription which Traytors and Rebels claimed within this Land. Rot. Parl. cap. 7.

PRAYEN the commons, that in consideration of the great Persons maintaining, supporting, or receiving rebels, adjudged traitors as well as the rebels; and the King's writs sent out of England to be executed against rebels and traitors, shall be obeyed notwithstanding any pretended prescription or usurpation for the supporting such rebels, which shall be void, as likewise the statute in confirmation of such custom. and haynous abusions and errours late had within the land of Ireland, by reason of an usurpation or pretended prescription, declaring that it hath been used time out of mind, that all manner of persons, as well rebels, traytors, as other evil disposed persons, for any cause comming and ariving into the said land, have used to have succour, tuition, supportation and free liberty within the said land during their abiding there, without any grievance, hurt or molestation of any person, notwithstanding any writ, privy seal, the great seal, letters missives, under signet, or other commandment from the King, directed unto any officer or other person within the said land, to be executed against any such person or persons being rebels or traytors, whereas there was never such prescription ne usage had ne seen, experience whereof evidently appeareth in the time of that holy and blessed King of perpetual memory King Henry the sixt, the said pretended and unlawful prescription was approved, ratified, and confirmed by authority of Parliament late holden within the said land, afore Richard duke of York, there being then in rebellion, and pretending himself lieutenant of the said land, unto the late King Henry the sixt, and by the authority of that Parliament it was ordained and made high treason anempst any person or persons that would bring any writs, privy seals or other commandments to attach, disturb, or grieve any such person having succour, tuition, or supportation, whereupon one William Overy, esquire, then being servant unto James late earl of Wiltshire and Ormond, for the cause was judged by the said late duke, to be drawn, hanged and quartered, and so was put to execution. And now of late it is not unknown what abusion and inconveniences have been within the said land, by reason and colour of the said feigned unlawful prescription, and the said act of confirmation thereupon made, as in the maintaining, supporting, and assisting these two laddes there, contrary to all faithful and natural allegiance, the which abusion and enormity is declared and spoken of through all christian realms, to the great shame and derision of such supporters, receptors, and maintainers.

A. D.

1495.

II. In reformation whereof, and to the intent that no rebel from henceforth have cause or courage to be as is aforefaid maintained, recepled, or supported within the faid land, that it be enacted, ordained, and established by the authority of this high court of Parliament, That the faid false usurpation, or pretended prescription, and the aforefaid act of ratification, and confirmation, and every thing in it contained, thereupon made, be utterly revoked, adnulled, repelled, and deemed void, and to be of none effect in the law.

III. And moreover by the faid authority it been ordained and enacted, That if any person or persons within the same land of Ireland, of what estate, degree, or condition he be of, do maintain, support, or receive any such rebel, or at any time hereafter, that as well the receptor and maintainer, as that rebel or person so recepled, or maintained, be taken, reputed and adjudged as open traytors unto our sovereign lord the King.

IV. And over that, it be enacted, ordained, and established by the same authority, that the King's great seal, privy seal, and letters missives, under his signet, sent out of his realm of England, be duely obeyed, any such pretended prescription, usurpation, act, confirmation, or other ordinance made to the contrary notwithstanding.

C H A P. IV.

An Act that no Parliament be holden in this Land until the Acts be certified into England. Rot. Parl. cap. 9.

No Parliament shall be held in Ireland, 'till the lieutenant and council first certify the King under the great seal, the causes, considerations and acts, and the King's licence in affirmation thereof, and to summon the said Parliament, first had under the great seal of England.

Ir. 3 & 4 Pb. & M. 4.

Any Parliament held contrary, void.

ITEM, at the request of the commons of the land of Ireland, be it ordained, enacted and established, That at the next Parliament that there shall be holden by the King's commandment and licence, wherein amongst other, the King's grace entendeth to have a general resumption of his whole revenues sith the last day of the reign of King Edward the second, no Parliament be holden hereafter in the said land, but at such season as the King's lieutenant and counsaile there first do certifie the King, under the great seal of that land, the causes and considerations, and all such acts as them seemeth should pass in the same Parliament, and such causes, considerations, and acts affirmed by the King and his counsaile to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said Parliament under his great seal of England had and obtained; that done, a Parliament to be had and holden after the form and effect afore rehearsed: and if any Parliament be holden in that land hereafter, contrary to the form and provision aforefaid, it be deemed void and of none effect in law. *Ir. Stat. 28 H. 8. 4 & 20. 11 Eliz. 1 & 8.*

C H A P. V.

A. D.

1495.

An Act against Provifors to Rome. Rot. Parl. cap. 10.

PRayen the commons affembled in this prefent Parliament, that where afore this time there hath been, and yet be within the faid land of Ireland, many debates and ftrifes betwixt the prelates and other of the church of Ireland, by reafon of diverfe provifors fuing by falfe and untrue fuggeltions made unto the court of Rome, for to deprive and put out of poffeffion the faid prelates and other beneficers from their livelyhood and benefices, and by colour and caufe whereof many of the King's true fubjects, prelates and beneficers, in that land, wrongfully by ftrength and might be put out of their livelyhood, and fuch perfons provifors be put in their places, contrary to the ftatutes of provifion in that behalf ordained, and contrary to reafon, right, and good confcience: Wherefore be it ordeyned, enacted, and eftablifhed by the authority of this prefent Parliament, That all maner of eftatutes, as well made within the realm of England, as within the faid land of Ireland, againft provifors, by the authority of this prefent Parliament, be authorifed, approved, and confirmed, and be deemed good and effectual in the law; and alfo by authority aforefaid, That all and every of the ftatutes, made againft provifors, be from henceforth duely and ftraightly executed in all points within the faid land, according to the effect of the fame. And the King's juftices, and commiffioners of the faid land diligently enquire at their felfions, and all other times requifite and behoveful, of all and every maner of perfon or perfons that hereafter offend the faid ftatutes, or any of them, and every of the faid perfons fo founden defective or trefpaffing in any of the faid ftatutes, from henceforth be duely corrected and punifhed, in example of all other in time to come, according to the tenure and purport of the faid eftatute.

All ftatutes, as well in England as Ireland, againft provifors to Rome, confirmed and to be executed here.

Ir. 32 H. 6. 1.
7 E. 4. 2 & 3.
Eng. 25 E. 3. 22.
13 R. 2. 2.
16 R. 2. 5.
2 H. 4. 3.
7 H. 4. 8.
3 H. 5. 4.

C H A P. VI.

An Act that no Citizen receive Livery or Wages of any Lord or Gentleman. Rot. Parl. cap. 12.

PRayen the commons, forasmuch as the cities and great towns of the land of Ireland, and in efpecial the city of Dublin, have of late been abufed, and inordinately have demeaned them for the moft part, contrary to their natural faith and allegiance; not doing their duty to the King our foveraign lord, and fuch as his grace did commit his authority unto, but for the amitie and favour the which diverfe of the faid cities and townes did beare to diverfe lords and gentlemen of the faid land, and alfo were retained with the faid lords, contrary to their owne laws and cuftomes, whereas they fhould

A. D.
1495.

take part with no man, but onely the part of their sovereign lord and his lieutenant for the time being, and to see their said cities and townes surely kept under due order and obeysance, the which retainders, parttaking and division, have been a great cause of all the trouble within the said land :

No citizen, burges, or freeman, shall receive livery or wages, from or make promise or surety with, any lord or gentleman, on pain of deprivation of freedom and liberty, and expulsion out of the city.

Mayors, &c. forfeit 20*l.* for neglect.

No lord, &c. shall retain by livery, &c. any persons, except his officers, as bailiffs, stewards, council learned, and menial servants, on pain of 20*l.* by both the retainer and retained, on proof and examination by the King's council.

This act not to extend to the marches, so as they present the names of those retained.

Ir. 28 *H.* 6. 1. *post cap.* 10.

II. Wherefore the premisses considered, that it be ordeyned and enacted by authority of this present Parliament, from this time forward, That whatsoever citizen, burgesse, or freeman enhabite within any of the said cities or townes, doe receive livery or wages, or make other promise or surety by indenture, or otherwise, with any lord or gentleman within the said land, that then he or they that shall so offend the premisses, and as often, to be deprived of his or their freedom and libertie ; and over that to be expelled out of the said citie for ever.

III. And by the same authority it be ordeyned, That if the mayor, or head officers of the said cities or towns, for the time being, doe not execute this present ordinance, as often as it shall require, that then he forfeit to the King twenty pound.

IV. And by the same authority that it be ordeyned, That no lord ne gentleman of the said land retein by livery, wages, or promise, sign or token, by indenture, or otherwise, any person or persons, but only to such as be, or shall be his officers, as baylifes, steward, learned counsaile, receivors, and meniall servants daily in household at the said lords costes. And if any lord or gentleman of the said land, retein any person contrary to the form of this present act, that then, (that duly proved and examined by the King's counsaile, or two of them) both the retainer, and he that is retained, to leese and forfeit to the King twenty pounds of lawful mony, as often as they or any of them shall doe contrary to this present act ; and that this act extend not to the marches of the said land, so that the marches of the same doe present the names by indenture, of all such persons as they shall have in their retinue, such as they shall answer for at their peril to the King's lieutenant, or his deputy for the time being.

C H A P. VII.

An Act that none be admitted Alderman, Juror, or Freeman in no Town, but if he have been Prentice or Inhabitant in the same.
Rot. Parl. cap. 13.

No city or great town shall admit any to be alderman, juror, or freeman, save apprentices and continual inhabitants, or call lords, &c.

PRayen the commons, that no citie ne great town within the land of Ireland, from this time forwards, receive or admit any person to be alderman, juror, or freeman, within any of the said cities or townes, but such persons as have been prentice, or been continually inhabite in the said cities or townes, ne also call no lord ne other person to their congregations or counsailes, but onely their recorder and learned counsaile retayned with them, ne shall also elect any per-

son to be mayor or head officer of any town or citie, but such as shall be well known to be the King's true men, bearing a fadde true mind to the common weale; and if any city or town offend the premisses, or any part thereof, and that offence duly and lawfully proved and examined by the same authority, it be ordeyned, that the maior and commons of any such city or town, by whatsoever name they be incorporate by, to forfeit an hundred mark of money to the King, as often as they or any of them shall offend the premisses, or any part of them.

A. D.

1495.

to their council, or elect any but good subjects to be their head officers, on pain of 100 marks.

II. And by the same authority it be ordeyned and enacted, That all maner acts and lawes made within any of the said cities or townes, or hereafter to be made, contrary to the King's prerogative and jurisdiction royall, be repealed, revoked, and deemed voyd and of none effect in law; and that these present acts be stablished for a law by authority of their own counsailes, and there to rest of record for the common weale of the said cities and townes.

All acts or laws within cities and towns contrary to the King's prerogative, shall be void.

C H A P. VIII.

An Act for the Confirmation of the Statutes of Kilkenny. Rot. Parl. cap. 19.

ITEM prayen the commons, that forasmuch as the statutes of Kilkenny were made and ordeyned for the publicke weal of the King's subjects of Ireland to keep them under due order and obeyfance, and all the feason that the said statutes were set in ure, and duely executed, the said land continued in prosperitie and honour, and sith the time that they were not executed, the foresaid subjects rebelled, and digressed from their allegiance, and the land did fall to ruine and desolation: the premisses considered, That it be ordeyned, enacted, and established by authority of this present parliament, That all and every of the foresaid statutes (those that will, that every subject shall ride in a saddle, and those that speaketh of the language of Irish, alonly excepted) be authorised, approved, confirmed, and deemed good and effectuell in law, duly to be enquired of, and to be executed according to the tenors and purport of them, and every of them; any act or ordinance made to the contrary of them notwithstanding.

All the statutes of Kilkenny (except such as appoint riding in saddles, or speak of the Irish language) are confirmed.

II. And by the same authority it be ordeyned, That all other acts, made in that land for the common weal, be likewise enquired of and executed; and that all the foresaid statutes be incorporate and written in two books, one of them to be in the King's chiefe place, and another to be in the common place, and that the treasurer of the said land have in commaundement by the King's grace to see this performed.

All other acts, for the commonweal, to be inquired of and executed; incorporated and written in two books, one to be in B. R. the other in C. B. the treasurer to see it performed.

A. D.

C H A P. IX.

1495.

An Act that the Subjects of this Realm shall have Bows and other Armour. Rot. Parl. cap. 20.

The subjects of Ireland shall have bows and other armour.

ITEM prayen the commons, that in consideration that the subjects of Ireland have none English bowes and arrowes for the resistance of the malice of their enemies and rebels, like as they have had in times passed; by reason whereof they be not so able to defend them from destruction, as they were at other seasons heretofore: therefore it be ordeyned, enacted, and established by authority of this present Parliament, That every subject having goods and cattels to the value of x. li. have an English bow and a sheaf of arrowes according; every subject having goods to the value of xx. li. have a jack falett, an English bow and a sheafe of arrows; every freeholder, having land to the value yearly of foure pounds, have his horse, jack falett, bow and sheaf of arrowes; every lord, knight, and esquire, within the said land have for every yeoman daily in their household, jack falett, bow, and arrowes, to the intent that all the commons of the said land may be able to doe the King or his lieutenant service for their owne defence and surety.

II. And by the same authority it be ordeyned, That if the foresaid persons, or any of them, doe not observe and perform the premisses as it is before specified, that then they and every of them doe forfeit to the King vis. viiid. as often times as they and every of them shall offend the foresaid ordinance.

Every barony to have two wardens of the peace.

Every parish to have constables of able inhabitants, and butts to shoot at; the constables may amerce defaulters 4d. and present to the barons of the Exchequer, to be levied as the King's revenues.

III. And by the same authority it be ordeyned, That there be henceforward in every barony within every shire of the said land two wardens of peace, having authority as it hath bin used of old time, and in every parish constables of able persons inhabitants within the said parishes, and a payre of butts to be had within every of the foresaid parishes, at the cost of the said parishioners, that the commons of the said land may the sooner attain the practise and experience of archers; and that the foresaid constables in every parish, upon pain of forfeiture of xiid. at every default, doe call before them or one of them every haly day all and every of the foresaid persons, having bowes and arrowes, as afore is rehearsed, to shoot, and cause them to shoot, at the least, two or three games at the said butts.

IV. And by the same authority it be ordeyned, that if any of the said persons make default at any haly day, without a reasonable cause shewed, that then the said constables have full power and authority to record their defaults, and amerce them and every of them at every such default in iiid. and the saide constables to present the said amerciements in writing to the barons of the King's Exchequer in the said land, to be levied and perceived in like maner and forme as the King's revenues been levied there.

C H A P.

C H A P. X.

A. D.

1495.

An Act that the Captains of the Marches do certifie the Names of such, as they have in their Retinue. Rot. Parl. cap. 22.

ITEM prayen the commons of the said land of Ireland, forasmuch as the most part of all such persons, as been inhabitants within the marches of the said land, suffereth the King's enemies and rebels to pass and repass through their marches to robb and spoil, bren, and murder the King's true subjects, being part privy to the same, therefore it be ordained and established by authority of this present Parliament, That every marcher and English captain, inhabitants within the said marches and land, from this time forward do present the names of all such persons, as they shall have in their retinue for the defence of the said marches and land, to the King our sovereign lords lieutenant, or his deputy for the time being, by indenture, that they shall answer for every of their said retinue defaults, to every person that will complain of them for any maner cause :

Marchers to present the names of their retinue, answer for their defaults, succour no rebels, and to be ready to defend the marches.
*Ir. 28H.6. 1.
10 H. 7. 6.*

II. And by the same authority it be ordeyned, that if any of the said persons inhabitants within the said marches voluntarie do succour, receive, or suffer any enemies or rebels to pass or repass, as before it is rehearsed, that he or they that so shall offend, and thereof duly convicted, be felon attainted, and the warden of every such march shall endeavour him by all his power to take every such person so attainted, and bring him to the King's jayle.

III. And by the same authority it be ordeyned, that all and every person or persons having land or possessions within the said marches, do resort by themselves or their sufficient deputies, such as shall be thought sufficient by the King's lieutenant or his deputy, and the King's counsaill there, to their said lands, and there continually do dwell in the same for the defence of the King's subjects there, after a certain proclamation thereon made ; and if they or any of them, that have any such lands or possessions, do not resort and dwell in their said lands, as it is afore specified, after the said proclamation thereon made, that then it be lawful to our said sovereign lord to enter and seise the said lands, and to take and perceive yearly the issues and profits of the same lands, to the maintenance of his wars of his said land during the same absency of the said lords or their deputies :

IV. And by the same authority it be enacted, ordeyned, and established, that every man, being of the age betwixt sixteen and sixty, inhabitant within every county, city, borough or town to such marches adjoyning, upon reasonable and lawful warning to be had to them, be ready in their best defensible array for war to aid and defend the foresaid marches, when need thereto shall require, according to the statute thereof made, and the pains contained in the same.

A. D.

C H A P. XI.

1495.

An Act that no Person take any Money or Amends for the Death or Murder of his Friend or Kinsman, other than the King's Lawes will. Rot. Parl. cap. 21.

Whoever takes any amends, other than the laws will, for the death of his friend or kinsman, and thereof convicted, shall have judgment *de vie & de member*.

ITEM prayen the commons of this land of Ireland, that where it is used by diverse of the said land for the death of any of their friends or kinsmen to bren, slay, or robbe, as many as beareth the name of him that is slain, whereas his next heir should sue appeal of death in the King's court for that murder, and by reason of such dampnable wayes will compell all such persons as been of the same name that he is of, that was causer of that murder, howbeit that hee was never of his blood, to pay assaut, that is to say, to depart with the most part of their goods by way of amends: wherefore it be ordeyned, enacted, and established by authority of this present Parliament, That if any person or persons from this time forward doe challenge or cause any of the King's subjects to pay any assaut, or have amends, otherwise than the King's lawes will in that behalfe, that he or they that so shall offend, and thereof to be convicted, have judgment *de vie & de member*.

When murder or robbery committed, hue and cry shall be levied according to the statute of Winchester.

II. And by the same authority, That whensoever any such murder shall fortune, or any robbery to be done upon any of the foresaid subjects next adjoyning to that place there as the murder or robbery shall fortune to be done, doe levy hue and cry, according to the statute of Winchester, on the pain contained in the said statute.

III. And by the same authority, That the said stat. of Winchester, and every article in it contained, be due executed and put in ure, as it hath been in old time past within the said land.

C H A P. XII.

An Act that no great Ordinances be in no Fortrefs, but by the Licence of the Deputy. Rot. Parl. cap. 23.

None, without licence to keep in his house, garrison or place, any ordnance on pain of 20l.

ITEM our soveraigne lord the King by the advice and assent of his lords spiritual and temporall, proctors, and commons in this present Parliament assembled, and by the authority of the same, for the surety and weal of his lieutenant, deputy, and subjects of his land of Ireland, have ordeyned, enacted, and established, That no maner person ne persons for this time forward doe retain or keep in his house, garrison, or place, any maner ordinance or artillery, that is to say, great gunne or handgunne, except only long bow, arrowes, and bills, upon pain of forfeiture of the said ordnance; and if any person or persons have any gunnes or ordnances, except above except, and doe not deliver them to the King's lieutenant or deputie within a moneth after proclamation hereupon made, or at any time hereafter keep any such

such ordnances, without the lieutenant or his deputies licence thereof had, that then he or they that shall offend in the premisses, and as often, doe forfeit to our said soveraign lord xx. li. to be levied on their land, goods, and cattles, like maner and form.

A. D.

1495.

C H A P. XIII.

An Act that no Person stir any Irishry to make War. Rot. Parl. cap. 25.

ITEM forasmuch as diverse persons have assembled with banners displayed against the lieutenant and deputy of the said land, supposing that it was not treason so to do, and many times the deputy hath bin put to reproch, and the common weal set in adventure: Therefore it be ordayned and enacted by this present Parliament, That whatsoever person or persons fro this day forward cause, assemble, or insurrection, conspiracies, or in any wise procure or stirre Irishry or Englishry to make warre against our soveraign lord the King's authority, that is to say, his lieutenant, or deputy, or justice, or else if any manner person procure or stir the Irishry to make warre upon the Englishry, be deemed traytor atteynt of high treason, in likewise as such assemble an insurrection had been levied against the King's own person.

Treason to stir the people to war against the King's authority, or the Irishry against the Englishry.

C H A P. XIV.

An Act that one born in the Realm of England to be Constable of Dublin, Trym, Leiselipe, Alone, Wycklow, Greencastle, Carlingford and Grafergous. Rot. Parl. cap. 28.

ITEM, prayen the commons, forasmuch as the castle of Dublin, Trym, Leiselipe, Alone, Wicklowe, Greencastle, Carlingford, and Grafergous bin the chief castles of the said land, and of right appertaineth to our soveraign lord, the which castles have been negligently kept, and such as have been committed to the constables or keepers of them, for treason, felony, and other offences, have suffered to escape wilfully, to the great hurt and prejudice of our said soveraign lord, and of all the said land. Therefore it be ordained and enacted by authority of this present Parliament, That fro this time forward there be in every of the foresaid castle an able and sufficient person of the realm of England, constable of every of the foresaid castles, for the more surety of our said soveraign lord, and of all his true subjects, and the better order to be kept in the said castles. Rep. 11. Car. 1. 6.

Rep. 10 & 11 C. 1. 6. Able and sufficient persons of the realm of England, to be constables of the castles of Dublin, &c.

C H A P. XV.

An Act touching the keeping of Records of the Earldomes of Marche, Connaght, Trym, and Ulster. Rot. Parl. cap. 29.

ITEM prayen the commons, forasmuch as the earldomes of Marche, Ulster, the lordships of Trym and Connaght, been annexed to our soveraigne lord the King's most noble crown, and that all such records, rolls, and inquisitions, as sometime was remayning of record in the treasury of Trym, and as should entitle our said sove-

Any persons having any of the rolls, records and inquisitions kept in the

A. D. 1495. treasury of Trim, and lately taken and imbez- zled, or knowing where they are and not delivering them to the council, to be deemed fel- lons. raign lord to all such lordships, manors, lands, tenements, rents, services, wards, mariages, and all other revenues appertaining to the said earledome and lordships, of late was taken and embefilled by diverse persons of malice prepenfed, to the great dammages and disherifon of our said foveraign lord and his noble heyres, and to the great hurt and prejudice of his subjects and tenants of the said lordships: That it be ordeined and enacted by authority of this present Parliament, That there be open proclamation made in the said Parliament, that whatsoever person have any of the said rolls, records, or inquisitions, or knoweth where they be, and doe not deliver them, or shew where they been, to our said foveraigne lords counsaile within the said land, within two moneths next after the said proclamation, that then they and every of them, that so shall offend this present act, be deemed felons attainted.

II. And by the same authority it be lesfull to our said foveraigne lord and to his heyres to enter and seise in all such manors, honours, lordships, castles, and tenements, rents, services, mores, medowes, pastures, waters, and milles, with all and every of their appurtenances.

III. And by the same authority, that our said foveraign lord may present to all and every maner advoufons of church or free chappell appending to any of the said honors, manors, or lordships, or to advoufons ingrose, any presentation, confirmation, or ratification to the patron notwithstanding, and doe seise all and every maner ward or wards, escheate, weifes, felons goods, and all other things appertaining or belonging to the said earledomes and lordships, whereof any maner lesfull title or discharge of our said foveraign lords interest cannot be shewed.

IV. And that this act extend not, ne be prejudicial to such graunts as were made by Richard late duke of Yorke, and lord of Trym, to the abbot and covent of the blessed virgin, of our lady of Trym.

C H A P. XVI.

A Statute for the Lords of the Parliament to wear Robes Rot. Parl. cap. 30.

All lords to appear in Parliament in their robes, as the lords of England do, on pain of 5l.

ITEM prayen the commons, that for as much as it was alway used in time passed, that the spiritual and temporal lords of the land of Ireland did appear to our foveraign lord the King's high court of Parliament in their Parliament robes, in like maner and for as much as the lords of England do appear at this day, and for penory and the said lords will do no costs thereupon by the space of xx. or xxiv. yeares at the farthest, and have done away the said robes, to their own great dishonour, and the rebuke of all the whole land: Therefore it be ordeined and enacted by authority of this present Parliament, That fro this Parliament forward, that every lord, as well spiritual as temporal, to appear to every Parliament that shall be holden within the said land, in their Parliament robes, in like maner and form as the lords of the foresaid realm of England doth appear to the

the Parliament holden within the said realm. And if any of the aforesaid lords appear to any such Parliament hereafter to be holden, not having his robe of Parliament, as before it is specified, that then he or they that so shall offend this present act, and as often to forfeit to our said sovereign lord C.s. to be levied of his lands and goods in like manner and form as other forfeitures been levied.

A. D.

1495.

C H A P. XVII.

An Act that no Peace ne War be made with any Man without Licence of the Governour. Rot. Parl. cap. 32.

ITEM, prayen the commons in this present Parliament assembled, forasmuch as diverse lords and great gentlemen of Ireland, use daily to make several peace with the King our sovereign lord's Irish enemies, and where the peace hath bin taken and concluded by the lieutenants and their deputies for the time being, with the foresaid enemies, and for the universal weal of our said sovereign lord's true subjects, the said lords and gentlemen for the singular lucor and for malice, have diverse and many seasons, and without any authority of the lieutenant or deputy for the time being, entered into the countries of such Irish enemies as have standen under the protection of our said sovereign lord, and the same countries have robbed, spoiled, hurt, and destroyed, by reason whereof, the said enemies have likewise entered into the English countrey, and the true English subjects have robbed, spoiled, and brent in semblable wise: Wherefore it be ordained, enacted, and established by authority of this present Parliament, That from this time forward, there be no peace ne war taken or had within the said land, without the lieutenant or deputy's licence, but such war and peace as shall be only taken or made by the lieutenant or deputy for the time being. And whatsoever person or persons break the said peace, or take singular truce, or robb, spoil, contrary to this present act, and such goods and cattels as they shall hereafter fortune to robb, and fortune to take of Irish enemies, do not deliver unto the lieutenant or deputy within eight days after the taking, that then by the same authority, he or they that so shall offend this present act, and as often to forfeit C.l. of lawful money to our said sovereign lord, and his or their body or bodies to be taken and committed to ward, there to abide without bail or mainprise, unto such time as the said hundred pounds be payed, and to find sufficient surety in the chancery, that he shall no more offend this present ordinance.

No peace or war to be made without licence of the governor.

Persons breaking the peace, or robbing or spoiling Irish enemies, and not delivering the goods, &c. taken to the lieutenant in eight days, forfeit 100l. and to find sureties.

A. D.

1495.

C H A P. XVIII.

An Act for Extirpation of a new Maner of Coyn and Livery, upon Pains comprised in the Statute of Kilkenny. Rot. Parl. cap. 35.

No one shall, under the penalty in the statute of Kilkenny, take money or horse-meat by colour of gift or by menace.

Ir. 28H. 6. 1.

Husbandmen or inhabitants giving and not disclosing the same forfeit 100s.

PRAYEN the commons of this present Parliament assembled, that whereas notwithstanding the act late made in the said Parliament, of the avoiding and dampning of this evil custom of coyn and livery, there be many evil disposed persons which by subtilie and crafty means and wayes, studying and imagining daily to cloke and colour the said dampnable custom, not foreseeing or pondering such acts and ordinances thereupon late made for the commonweal of this land, nor also the great danger and pain therein contained, accepteth, and take daily by colour of gift and reward of some husbandmen for his meat and his servants viii d. and of some less, and of some more, besides sheaves of otes and other grains for their horses, and so daily rideth about the country from one husband to another, menacing to be revenged upon such husbands in time to come, if that they thereof should be denied, the which is equivalent and in like mischief to coyn and livery: Wherefore it be ordeyned, enacted and established, by authority of this present Parliament, That no maner of person from henceforth, upon pain contained in the statute of Kilkenny, for taking of coyn and livery, take any money or horsemeat by colour of gift, reward, or otherwise by reason of any such menace, of any husband or inhabitant in the countrey, and also that no such husbandmen or inhabitant from henceforth do give unto such person or persons of gift or reward, for his or their meat, any money or horsemeat by reason or occasion of any such menace, and if any such husbandman or inhabitant do hereunto the contrary at any time to come, and shew not or disclose the same in the name of such as offendeth the premisses, unto such commissioners as shall enquire in the countrey of coyn and livery, that such husbands or inhabitants forfeit c. s. as oftentimes as he endeavoureth him not to do according to the premisses, that is to say, the halfyndele thereof to the King our sovereign lord, and thother half thereof to such as shall give information and knowledge thereof to the said commissioners, and he or they to sue for the said forfeit by bill or otherwise.

C H A P. XIX.

An Act declaring a Rate what Souldiers shall pay for their Meat and Drink, in Time of Hostility. Rot. Parl. cap. 36.

Soldiers to be quartered on the subjects in time of hostility:

ITEM, prayen the commons, that forasmuch as our soveraigne lord the King hath sent into this his land, his army for to repress and subdue his rebells and enemies, and that this his land may be sooner reduced to his obeyfance to his great cost and charge, and to the entent that the same army may the better be continued and kept

for the same purpose, that it be ordeyned and enacted by authority of this present Parliament, that the said army, whensoever they shall hereafter at any time ride to any journey or osting in this land to subdue the said enemies and rebels, or that the said enemies and rebels shall invade the said land, that at all such seasons the subjects of the said land, and every of them, shall receive and lodge in his or their house every of the said army, so that the forsaide souldiers so lodged doe take and receive such meat and drink reasonable, as the governor of the house then shall fortune to have at that time, and that they ne any of them shall take of any of the said army for their meat and drink above i d. ob. for one meale, and for his servant i d. and for every horse that shall appertaine to the said armie, shall not pay above i d. for fixe field sheaves with a double band with litter according, that for lacke thereof, they ne none of them have cause to complain; and by the same authority if any person or persons there as any of the said army shall fortune to lodge at any time hereafter, doe refuse to receive or lodge any of the said army, as before it is rehearsed, lords and gentlemen, of xx. mark of land and more, cities and borough townes onely excepted, that then hee or they that shall offend this present ordinance, to forfeit to our said Sovereign Lord, as often as he or they that so shall offend, xii d. to be levied and paid in like manner as other forfeitures been.

A. D.

1495.

The price
for their vic-
tuals rated.

Penalty
12 d. for re-
fusing them.

C H A P. XX.

An Act abolishing these Words Cromabo and Butlerabo. Rot. Parl.
cap. 38.

I T E M, prayen the commons in this present Parliament assembled, that forasmuch as there hath been great variances, malices, debates, and comparisons between divers lords and gentlemen of this land, which hath daily increased by seditious means of diverse idle and ill disposed persons, utterly taking upon them to be servants to such lords and gentlemen, for that they would be borne in their said idleness, and their other unlawfull demeaning, and nothing for any favour or entirely good love or will that they bear unto such lords and gentlemen: Therefore it be enacted and established by the same authority, That no person ne persons of whatsoever estate, condition, or degree, he or they be of, take part with any lord or gentleman, or uphold any such variances or comparisons in word or deed, as in using these words, *Cromabo*, *Butlerabo*, or other words like, or otherwise contrary to the King's lawes, his crown, and dignity, and peace, but to call only on St. George, or the name of his Sovereign Lord the King of England for the time being. And if any person or persons of whatsoever estate, condition, or degree, he or they be of, do contrary so offending in the premisses, or any of them, be taken and committed to ward, there to remain without bayl or mainprise, 'till he or they have made fine after the discretion of the King's deputy of Ireland, and the King's counsaile of the same for the time being.

None shall
uphold any
variance in
word or deed,
as by using the
words *Croma-*
bo, *Butlera-*
bo, and such
like, on pain
of fine and
imprison-
ment.

A. D.

1495.

C H A P. XXI.

An Act whereby Murder of Malice prepensed is made Treason. Rot. Parl. cap. 37.

Murder of malice prepensed, or the stirring others thereto, made treason.

Right of appeal not barred.
9 Anne 4.

ITEM, prayen the commons, that forasmuch as there hath been universal murder by malice prepensed used and had in this land by divers persons contrary to the laws of Almighty God and the King without any fear or due punishment had in that behalf, that it be ordeyned, enacted, and established by authority of this present Parliament, and of the lords spiritual and temporal, and commons in the same assembled, That if any person or persons, whatsoever estate, degree, or condition he or they be of, from the feast of the purification of our lady, the tenth year of the reign of our sovereign Lord King Henry the seventh forward, of malice prepensed do flee or murder, or of the said malice provoke, stir, or procure any other person or persons to flee or murder any of the King's subjects within this land of Ireland, be deemed traytor attainted of haute treason, likewise as it should extend to our said sovereign Lord's person, and to his royal Majesty, and that the chief lords have their escheats and forfeitures of all maner lands, tenements, rents, services, with their appurtenances; any act or ordinances to the contrary hereof notwithstanding.

C H A P. XXII.

An Act confirming all the Statutes made in England. Rot. Parl. cap. 39.

All English statutes concerning the publick weal confirmed, and to be used and exercised in Ireland; all statutes to the contrary, void.
Ir. 8 E. 4. 1.

ITEM, prayen the commons, that forasmuch as there been many and diverse good and profitable statutes late made within the realm of England by great labour, studie, and policie, as well in the time of our sovereign lord the King, as in the time of his full noble and royal progenitors, late Kings of England, by the advise of his and their discreet counsaile, whereby the said realm is ordered and brought to great wealth and prosperity, and by all likelihood so would this land, if the said estatutes were used and executed in the same: Wherefore it be ordeyned and established by authority of this present Parliament by the assent of the lords spiritual and temporal, and commons assembled in the same, That all estatutes, late made within the said realm of England, concerning or belonging to the common and publique weal of the same, from henceforth be deemed good and effectually in the law, and over that be acceptyd, used, and executed within this land of Ireland in all points at all times requisite according to the tenor and effect of the same; and over that by authority aforesaid, that they and every of them be authorized, proved, and confirmed in this said

faid land of Ireland. And if any estatute or estatutes have been made within this faid land, hereafter to the contrary, they and every of them by authority aforefaid be adnulled, revoked, voyd, and of none effect in the law.

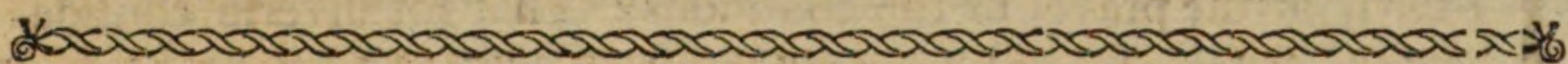
A. D.
1495.

C H A P. XXIII.

An Act repealing a Parliament holden at Drogheda, before Robert Prestone, Lord of Gormanstowne. Rot. Parl. cap. 40.

PRAYEN the commons, that forasmuch as there was a Parliament late holden at Drogheda before Sir Robert Prestone knight, viscount of Gormanstown, deputy to the right excellent Prince Jasper duke of Bedford, lieutenant of this land of Ireland, the which Parliament was decreed and deemed voyde to all intents, by the King our sovereign lord's counsaile in Ireland, for diverse causes; one was because the said duke surrendered his letters patents of lieutenancie before the said Parliament summoned; the second cause, that there was no general summons of the said Parliament to all the shires; but onely to foure shires; the third cause, that the said deputy had no maner power by his commission to keep Parliament. For the which causes, that it may be ordeyned and enacted by authority of this present Parliament, That the said Parliament so holden, for the causes aforefaid, may be deemed voyd and of none effect.

Parliament held at Drogheda, deemed void; because the lieutenant surrendered his letters patent before it was summoned: because summons issued only to four shires: and the deputy had no power by his commission to keep a Parliament.



The fourteenth Year of Henry the Seventh.

Extract' quodam actor' & factor' apud *Tristledermont*, die Lunæ xxvi, die Augusti, anno regni Regis HENRICI septimi decimo quarto, coram *Geraldo com, Kildare* deputat' locumtenent' terræ *Hiberniæ* tent' edit & ibidem finito & terminato. *Anno Dom.* 1499.

An Act for punishing of Customers, &c. for their Misdemeanours.

ITEM, at the prayer of the commons within this present Parliament assembled, to the intent that the King our sovereign lord shall not be deceived of his custome, cocket, tonage and poundage, nor of any other duty belonging unto him, of or for merchandize conveyed into the land of Ireland, or out of the same land. It is authorized, enacted, and established by authority of this present Parliament, That all and every act of Parliament made in England for punishment of customers, controlers and

A. D.
1499.

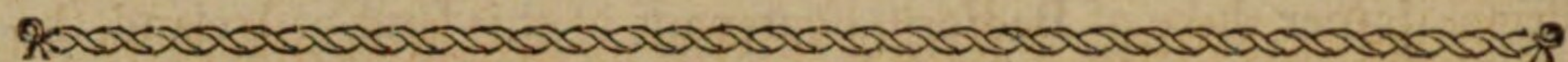
All acts made in England for punishing customers, &c. merchants, &c. to be in force in Ireland, being first proclaimed in market towns.

A. D.

1499.

searchers, for their misdemeanor or negligence in their office, or for the punishment of any merchant, or of their proctors or factors, or for the good ordering of them, or for the good ordering of any of the said officers, be put in execution by the officers of this land, according to the tenor and effect of them, and in like manner as they be put in execution by the King's officers in England. And that all and every of the said acts be authorised and affirmed by this present Parliament.

II. Provided alwayes, that this act shall not be put in execution, 'till the said acts of England be proclaymed at Dublin and Drogheda, and other market townes, to the intent that marchants may know what those acts be, and the paines of the same.

*The fifteenth Year of Henry the Seventh.*

Anno decimo quinto HENRICI septimi. Anno
Dom. 1500.

Twelve Pence levied by the King out of every twenty Shillings Worth of Wares brought into Ireland, Wine and Oyl only excepted. Rot. Parl. cap. 4.

A. D.

1500.

The King
to have 12 d.
per pound for
all merchan-
dize imported
or exported,
wine and oil
excepted.

ITEM, at the prayer of the commons: That for diverse considerations it is ordeyned, granted, and established by authority of this present Parliament, That our soveraign lord the King and his heyres have, perceive, and levy of all and every twenty shillings worth of all maner merchandize and wares brought into this land of Ireland, by any person or persons, to be sold within the same land, twelve pence: and likewise to have, levie, and perceive, of every twenty shillings worth of all maner merchandizes and wares, after the price that they be bought within this land, and to be carried out of the same, to be sold by any maner person or persons beyond the sea, twelve pence, wine and oyle onely excepted.

None to
bring in any
merchandize,
or break bulk,
or bring the
same out of
any ship, or
ship any to be
exported, till
entered in the
customer's
book, on pain
of forfeiture.

II. And by the same authoritie it is ordeyned and established, That no maner person or persons bring any maner merchandizes or wares aforesaid into this land, break any bulk, or bring any wares out of any ship or ships, 'till the same wares be entered in the customer's book by the merchant owner of the said wares, or his attorney, or purser of the said ship wherein the said wares be brought into this land, and that upon pain of forfeiture of the said wares so not entred in the customer's book in maner aforesaid, half to the King, and the other half to the spier and finder of the same. And also in likewise, that no maner person or persons which will carry over the seas any wares or merchandizes out of this land, ship, or put into any boat or ship, the same wares or merchandizes,

'till

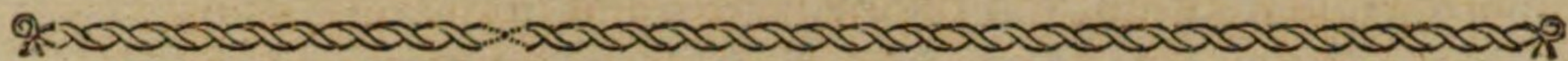
'till they be entred in the customer's booke of the same port, and that upon pain of forfeiture of the same, in maner aforesaid.

A. D.

1500.

III. Provided alway, That this act extend, nor in any maner wise be prejudicial or hurtfull to any free man of the citie of Dublin, Waterford, ne of the town of Drogheda, being free by birth or prentishood, or marriage, and dwelling within the said cities and townne.

This act not to prejudice freemen of Dublin, Waterford, or Drogheda, dwelling there.



The seventh Year of Henry the Eighth.

Statuta Ordin' Provisiones & Actiones in quodam Parlamento domini Regis, virtute commissionis & mandati dicti domini Regis sub magno sigillo suo Angliæ apud Dublin, die *Lunæ* vicesimo quinto die *Febr.* anno regni Regis HENRICI Octavi septimo, coram charissimo consanguine suo *Geraldo* comite *Kildare*, deputato ipsius domini Regis dominii atque terræ suæ *Hiberniæ* tento, edit. & ibidem diversis vicibus continuato ac similiter ibidem die *Veneris*, septimo die *Martii*, tunc proximo sequente usque die *Martis* proximum post festum apostol. *Petri & Pauli*, ad tunc prox' sequent' prorog. & ibid' die *Jovis* prox' ante Fest' sancti *Michaelis* Archang. similiter prorog' ac etiam die *Jovis* proximo post festum sancti *Michaelis* prædicti ibidem finito & terminato in hæc verba. *Anno Dom. 1517.*

An Act for and against such as sue Letters under the Privy Seal out of England. Rot. Parl. cap. 5.

PRayen the commons, That whereas diverse persons of malice, by prepenfed and surmised causes, pursue the King's private seales to compel the King's subjects of this his land of Ireland, to repair into England, purpofely to put them to cost and charge, for particular causes determinable in this land, so as for the great labour and expences, and default of English money, the King's said subjects would give rather unto their adversaries their wills and pleasure, be their demands never so untrue, then to take the costs passing over the sea and returning. Therefore, and in consideration that judges and learned officers here be ordeyned to minister justice betwixt party and party, according the order of our said sovereign lord his laws: be it enacted and established by authority of this present Parliament,

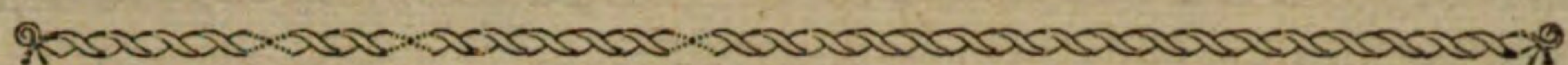
A. D.

1517.

Persons bringing the King's letters of privy seal for particular causes, against any subject in Ireland, shall find sureties to answer costs, if the defendant acquitted before the council in England.

That

A. D. ^{1517.} That every person so bringing the King's letters of private seale for particular causes against any of the King's subjects here, shall, at his hither coming, find sufficient sureties in the King's chancery here, to be bound by recognisance, that if the defendant at his apparance before the King and his counsaile in England, may there purge and acquit himself of the matter to him alleaged, that then the party plaintiff shall satisfie and recompence the said defendant for his costs, damages, and expenses, sustained by such wrongfull vexation.

*The thirteenth Year of Henry the Eighth.*

Stat' Ordination' & Action' in quodam Parlamento apud *Dublin*, die *Martis* prox' post fest' sanct' *Petronillæ* virginis, viz. quarto die *Junii*, anno regni Regis *HENRICI OCTAVI*, tertiodecim', coram charissimo consang. nostro *Thomæ* com. *Surr.* uno milit' ord' garterii, magno admirallo *Angl. Hib. Walliæ, Normand. Gasc. Aquitaniæ*, ac locum tenent' dicti dom. Regis in terra sua *Hiberniæ* tent. edit. & ibid' quaterdecimo die ejusd. mensis *Junii* usque quint' diem *Augusti* tunc prox' sequent. prorog. & contin', & eod' quinto die *Aug.* ibid' prorog. & cont' usque vicesimum quintum diem *Januarii* tunc prox. sequen' & sic ibidem contin' usque vicesimum nonum diem ejusdem mensis *Januarii*. Et a dicto vices. nono die usque tertium decim' diem mensis *Febr.* tunc prox. sequent. prorog. & contin' Et sic usque decimum septimum diem ejusd. mensis *Feb.* prorog. & cont' : Et a præd' xvij. die *Feb.* usque xxi. diem mensis *Martii* tunc prox. seq. simil' ib' prorog. & cont. ac ib' eod' die finit' & cont' in hæc verba. *Anno Dom. 1522.*

C H A P. I.

An Act for burning of Corn as well in Recks in the Fields, as in Villages and Towns.

A. D. ^{1522.} **F**IRST prayen the commons, That whereas many ill disposed persons, for malice, evill will and displeasure, doe daily burne corn, aswell in recks in the fields, as in villages and townes, thinking that it is no felony, so that they should suffer death for no such burning:

burning : Therefore be it enacted by the authority of this present Parliament, That all wilful burning of recks of corn in fields and in townes, and burning of houses, of and upon any of the King's true subjects, be high treason, and that like processe, judgment, and execution be awarded against the said evil doers, or any of them, as against any that doe commit treason in any other maner; saving to the chiefe lords of the soyles their eschetes.

A. D.

1522.

Wilfull burning recks of corn in fields and townes, and burning houses, treason.

C H A P. II.

An Act against lading Wools and Flocks.

IT E M, prayen the commons, That whereas taking and lading of wool and flockes out of this land hath been the cause of dearth of cloth, and idlenesse of many folkes, so that in default of labour and occupation of the same divers persons, both men and women, have faln to theft and other misgovernance to the desolation and ruine of this poor land, as it doth daily appear by experience : Therefore be it enacted by the authority of this present Parliament, That no person ne persons from henceforth lade ne take out of this land any wooll or flockes upon pain of forfeiture of the double value of the same, the one half unto the King, and the other half to him that will sue therefore ; and that it be lawfull to every man to sue for the same as well by action of debt, as by information, in any of the King's courts, in which action of debt the partie or parties defendants shall have none essoine, protection, ne law wager : and that it be lawful unto all the King's justices of peace, that hereafter shall be made, to enquire of the premisses.

Wool or flockes not exported, on pain of forfeiture of double value. *Ir. 28 H. 8. 17. 11 El. 10. sess. 3.*

All justices of peace may inquire thereof.

C H A P. III.

An Act touching Jurors, to pass in Attaint.

PRayen the commons, forasmuch as perjurie is often unpunished in this land of Ireland by reason of false verdicts aswell in reall actions, as in personal actions ; by reason whereof diverse persons, against whom the said false verdicts have passed, be without remedy, because that right few persons within the foure shires, where the King's laws is occupied in this land, have not sufficient lands and tenements to pass in attaint according unto the statutes in that behalf purveyed : Therefore be it enacted by the authority of this present Parliament, That any person or persons being seized of lands, rents or tenements, in possession or in use, unto the yearly value of ten marks above the charges, in fee simple, fee taile, or for terme of life, copyhold, and auncient demeane, shall from henceforth pass in every attaint ; any act, statute, or ordinance to the contrary before this time notwithstanding. And the judge or judges, before whom

Jurors in attaint, must be seized of lands, rents, or tenements in possession or use, of the yearly value of ten marks above charge

On default of jurors in

A. D. 1522.
 the county or franchise where the attaint is sued, the court may immediately award process to the sheriff, &c. of the next county, &c. to return as many as shall need to be impanelled. 28 H. 8. 24. Ir.

any attaint hereafter shall be sued, have full power, in case that the jury of the said attaint should remain at any day for default of jurors, to examine the jurors appearing before them, empanelled in any such attaint, after the discretion of the judge or the judges, whether there be more sufficient persons within the county or franchise, where any such attaint shall be sued, to make up the whole pannell of twenty four jurors. And if it appear unto the said judge or judges, by tryall or examination of the said jurors, that then doe appear, that there be not enough of sufficient persons according to the effect of this act within the said county or franchise unreturned, that then the said judge or judges may incontinent award process to the sheriffe or other officer or officers of any county, libertie, or franchise next adjoyning, as many jurors as shall need to be impanelled in the said attaint, in like order and form as if the sheriffe or other officer of the shire, libertie or franchise, where the said attaint shall be commenced, had returned specially, that there were no mo freeholders sufficient within his shire unreturned to pass in the said attaint. Provided, that this act extend not but onely for false verdicts, to be given in time to come, wherein attaints do lye.

The twenty fifth Year of Henry the Eighth.

Stat' Ordination' & Actus in quod' Parliament' Dom' Regis virtute commis. & mandati Dom' Regis sub magno sigill' suo *Angl'*, apud *Dublin* xix. die Maii, ann regni Regis HENRICI octavi vices. quinto, coram *Geraldo* com' *Kildare*, deputato præcharissimi ac dilectis. consang. dicti dom. Reg. *Henr.* ducis *Richmond* & *Somers.* locumten' ipsius Dom Regis terr' suæ *Hibern.* tent' & ibid' usq' diem Jovis prox. ante fest' sanct' Trinitat' tunc prox' sequent. tenend', prorog' nec non ibid' usq' diem Jovis prox. post festum sancti *Michaelis* archan' simil. tunc prox. sequen. tenend. prorog', ac ibid' finito & terminato, edit. in hæc verba. [*Anno Dom.* 1534.]

C H A P. I.

An Act for Lezers of Corn. Rot. Parl. cap. 2.

A. D. 1534.
 PRayen the commons, That whereas many inconveniencies within this land ensueth, by reason that many and divers persons, labourers strong of bodie, aswell men as women, falleth to idleness, and

and will not labour for their living, but have their sole respect to gathering and lezing of corn in harvest time, and refuse to take money for their wages, to rippe or binde corn, to the intent that the poor earth tillers should give them sheaves of corn for their labour, by colour whereof they steal mens cornes, as well by night as by day, to the great hinderance and impoverishing of the poor earth tillers, and also by giving of such sheafes, the church is defrauded of the tythe of the same. Wherefore be it ordeyned and established by authority of this present Parliament, That from henceforth no person ne persons, being strong of body to labour for their living, shall gather or leze in any place in harvest time, except it be in their owne fields; and no impotent persons gather or leze in any other place, saving in the same parochie where their dwelling is; and that no man from henceforth give ne take any corn in harvest, for ripping ne binding of corn. And if any person or persons gather, leze, or take any corn for their labour, contrary to this act, that then it be lawfull to all and every person and persons, to take fro all and every such gatherer, lezer or lezers, and other such persons as shall take corn for their labour, in manner aforesaid, all such corn as they or any of them take or get by lezing, as is aforesaid, with all such other stole corn as shall be gotten with them, or any of them, as well within their houses as without, the one half thereof to the lord of the soyle where the same shall be found, and the other half to taker of the same.

A. D.

1534.

No strong or able persons shall leze corn except in their own fields, nor impotent persons out of their parish, corn not to be taken in harvest, for reaping or binding corn.

Penalty, any one may take such corn, as well within as without their houses: half to the lord of the soil where found, half to the taker.

C H A P. II.

An Act for the uniting and Appropriation of the Parsonage of Galtrim to the Priory of St. Peter's by Trymme. Rot. Parl. cap. 2. session 3.

AT the humble supplication of the priour and covent of the monastery or house of the apostles Peter and Paul of the Newton besides Trymme: That where the advowson of the parochie church of the blessed Virgin Mary of Galtrim, within the county and diocese of Methe, in the time of the famous Prince Edward the fourth, late King of England, unto the monastery or house of the apostles Peter and Paul, of the Newton besides Trymme aforesaid, and to the prior and covent of the same, to hold, retain, and keep to them and their successors, in proper use was appropriated, and so appropriated did continue unto the four and twentieth year of the reign of our soverign lord that now is, Henry the eight, King of England and of France, defendour of the faith, and lord of this land of Ireland, that one Nicholas Hulle, baron of Galtrim aforesaid, in a *quare impedit* recovered the foresaid advowson against the priour that now is, of the said monastery or house, before the justices of the King's common place in this land of Ireland. The said Nicholas, in his said action of *quare impedit*, alleadging, that

The parsonage of Galtrim united to the monastery of St. Peter's by Trim.

A. D. ^{1534.} the said advowson, long before the said appropriation thereof, was appendant to the manour of Galtrime aforesaid, which manour the said advowson thereto then being appendant, was given by force of a remainder of a tail, to one Peter Hufsey ancestour to the said Nicholas, whose heire the said Nicholas is, and to the heyres males of the said Peter's bodie begotten, as by the said recovery more plainly doth appear. And for as much as the tythes of the parsonage of Galtrime aforesaid, was that thing that the said house or monastery was most supported and kept up, and divine service and hospitality maintained, and that the same house or monastery, if it could not have the said parsonage thereto again appropriated, was and is very like to be cleerly dissolved, for as much as a great deal of the possessions that was given thereto at the foundation thereof, lyeth in the marches, and by reason of war and oppression there is much wasted, fore decayed, and diminished, and the premisses of pity moving Sir William Skeffington, then lord deputie of this land, and the counsaile of the same, at their desire, the said Nicholas Hufsey upon the said advowson, did submit himself to such end, award, and order, as the said lord deputie, the most reverend father in God, John archbishop of Dublin, primate of Ireland, and then chauncellor of Ireland, Sir John Barnwall, knight, lord of Trimlettestown, and Thomas Luttrell, then the King's sergeant at his lawes in Ireland, should take order and award therein; and the said arbiters, by the assent of the said priour and Nicholas thereupon did award, order and deem, that their should be a vicar perpetual, and for ever in the same church made, established, and ordained, having perpetual succession, that shall have yeerly to him and his successors, vicaries of the same church for the time being, the whole mance or gleab of the parsonage or church of Galtrime aforesaid, with four acres of arable land, being within the same town of Galtrime thereto pertaining, with all other lands and tenements pertaining to the same, being within the precinct, bounds and meares of the lands of the town of Galtrime aforesaid, the whole alterages, oblations, and offerings yearly, of the church and parochie of Galtrime aforesaid, the third part of all the tythe torves of the said parochie, the whole tythes of corn and hay of all the lands, mesuages, and tenements of Clonemethe, and such tythes yearly of corn, half wheat and beare, and the other half oates, as shall be to the yearly value of eight markes of lawful money of Ireland, of such corn as shall grow or be in the farthest part of the land of the town of Galtrime aforesaid, fro the house or monastery of saint Peter and Paul aforesaid, after the rate of fifteene shillings the couple of corn of the same tithe yearly: to have and to hold the same mance, glebe lands, alterages, oblations, offerings, tythes, and all other the premisses, with their appurtenances, to the said vicar, and to his successors, for ever, that so shall be there made, established and ordeyned. And that the advowson of the parsonage of Galtrime aforesaid, with all other

maner

maner tythes, oblations, and alterages, chappels, and freechappels, that pertayneth to the same, except the premisses for the said vicar limited, at the costs of the said prior, or his successors, after he or his successors had obtained or gotten of our sovereign lord the King, his heires, or successors, a sufficient license to take, accept, and appropier the same advowson to them and their successors, then shall be appropriated, united, and annexed to the said house or monastery of said Peter and Paul aforeaid, and to the priour and covent, of the same, and their successors for ever. To have and to hold, keep, and retain the same to the said priour and covent, and to their successors for ever, in proper use, in pure and perpetuall almes, to pray for the soules of his antecessors of the said Nicholas, and for the prosperitie of the said Nicholas and his heyres and sequele, for their soules after they passe this transitory life. And the said prior and covent, and their successors for ever shall bear, doe, keep, and pay, all ordinarie and extraordinary charges of and for the same church and parsonage of Galtryme, and all chappells and freechappels perteyning or belonging to the same, and shall discharge the said vicar and his successors thereof, the said vicar and his successors for ever, finding and keeping the cure of soules of the said church of Galtryme, and to appeare and answere by himselfe, or by his curate, to sundayes chapters and consistorie days, as a vicar ought to doe, and that upon his own proper costes.

II. And forasmuch as the said Nicholas Hufley hath no interest ne estate in the said advowson of the parsonage aforeaid, but to him and to his heyres males of his body begotten, so that it is defuse and doubtful how to make a sure and perfit appropriation thereof, by the common law, without act of Parliament: In consideration whereof, be it ordeyned, established, and enacted by this present parliament, and by authority of the same, That the foresaid parsonage of Galtryme aforeaid, with all tythes, chappells, and freechappels pertaining or belonging to the same, except such parcels thereof as be ordered, deemed, and awarded by the said arbytrours, to be to the said vicar and his successors, as appeareth in the said award, be appropriated, united, and annexed to the said house or monasterie aforeaid, and to the prior and covent of the same, to have and to hold, and possede, and retain in proper use, the same parsonage, with all that thereto belongeth, except the fore excepted, to the same prior and covent, and their successors for ever; the said prior and his successors bearing all ordinarie and extraordinary charges of and for the same, except such charges thereof, as is limited to the said vicar by the said award to beare and doe; the act or statute whereby it is ordeyned that no lands ne tenements should not come or be given to mortmain, or any other act or acts, statute or statutes, ordinance or restriction before this time made, ordeyned, purveyed, or enacted to the contrary of the premisses, or any part thereof notwithstanding.

A. D.

1537.

Statuta, Ordinationes & Provisiones in Quodam Parlamento illustrissimi principis & domini nostri domini HENRICI octavi Dei gratia Angliæ & Franciæ Regis, fide defens. & domini Hiberniæ, virtute commissionis & mandati dicti domini Regis sub magno sigillo suo Angliæ apud Dublin die lunæ primo die mensis Maij, anno regni ejusdem domini Regis vicesimo octavo, coram dilecto & fideli suo domino Leonardo Gray milite domino Gray, deputato ipsius domini Regis ac præcharissimi & dilectissimi consanguinei sui Henrici ducis Richmond & Somerset de prosapia sua orti, locumtenentis suæ terræ & dominij sui Hiberniæ tento edit'. Et abinde die Mercurij, videlicet ultimo die ejusdem mensis Maij tunc proxim' sequent' usque diem Martis, videlicet vicesimum quintum diem Julii tunc prox. sequent' ad villam de Kilkenni adjornat' & ibidem tent' & continuato ibidem die Mercurij, viz. vicesimo sexto Julii usque diem Veneris tunc proxim' sequent. videl. vicesimum octavum diem ejusdem mensis Julij tunc proxim. sequent. ad villam de Casbel adjornato & ibidem tent. & continuato. Et ibidem dicto die Veneris, videl. vicesimo octavo die dicti mensis Julii usque diem Mercurij tunc prox. sequent. viz. secundum diem Augusti tunc proxim. sequent. ad civitatem Limiric adjornato, & ibidem tent. & continuato. Et ibidem die Sabati, viz. decimo nono die ejusdem mensis Augusti usque diem Veneris, viz. decimum quintum diem mensis Septembris tunc prox. sequent. ad civitatem Dublin præd. adjornato, ibidem tent. & continuato. Et ibidem die Jovis, viz. vicesimo octavo die ejusdem mensis Septembris usque diem Sabati, viz. vicesimum diem Januarij tunc prox. sequent. ad dict. civitat. Dublin prorogat. & ibidem tent. & continuato. Et ibidem die Martis, viz. quinto die Februarii tunc prox. sequent. usque diem Martis, viz. primum diem Maii tunc prox. sequ. ad dict. civitatem Dublin prorogat. & ibidem tent. & continuato. Et ibidem die Martis, viz. octavo die Maij tunc prox. sequent. usque diem Veneris, viz. vicesimum diem Julij tunc prox. sequent. ad dictam civitatem prorogat. & ibidem tent. & continuato. Et ibidem die Sabati, viz. vicesimo primo die Julii tunc prox. sequent. usque diem Sabati, videl. tertiodecim diem Octobris tunc prox. sequent. ad dict. civitatem Dublin prorogato, & ibidem vicesimo die Decembris tunc prox. sequent. finit. & terminato. Anno Dom. 1537.

C H A P. I.

An Act for the Attainder of the Earl of Kildare and others.

A. D.

1537.

Ir. 11 El. 12.
Sess. 3.

PRayeth the commons in this present Parliament assembled, that forasmuch as Gerald fitz Gerald, late earle of Kyldare, amongst manifold and diverse enormities, abuses, and offences, contrary to his naturall duty of allegiance, attempted and committed against the

crown, right, majesty and dignity of our natural and most dread
soveraign lord Henry the eight, by the grace of God, King of Eng-
land and of France, defender of the faith, and lord of Ireland, and
in earth, supreme head of the church of England, the xvi. yeare of
his most noble reign, confedred and assented to, and with one James
late earle of Desmond, being openly proclaimed and published rebell
and traytor against our said soveraign lord, for that he the said
James should send to the French King then enemy unto his grace
and at open war with him and his dominions, to excite, provoke, and
stir the same French King to send into this land of Ireland an army,
for the taking of the same land out of our said soveraign lord's posses-
sion; and notwithstanding that his traiterous entent would not take
effect, by reason of a peace that then immediately was concluded be-
twixt our said soveraign lord and the French King, he sent unto the
Emperour, provoking and intising him to send an army into this said
land for the purpose aforesaid. Our soveraign lord the King having
privie intelligence thereof, willed secretly the said earle of Kyldare,
then being his grace's deputy of his land of Ireland, to apprehend and
take the said James earle of Desmond, the same earle of Kyldare,
falsely and trayterously admonished the said James thereof, willing
him to come to no place where he the same earle of Kyldare should
be or have any power upon him. And being of this and diverse
other offences, remitted and pardoned by our said soveraign lord the
King, afterward, sojourning at Newington in the county of Middle-
sex, within the realm of England, the eight day of July, in the
twentieth yeare of the reign of our said soveraign lord, willed and
commanded his daughter Elice fitz Gerald, wife to the baron of
Slane, to repair into this the King's land of Ireland, and in his
name to will all his brethren O Neyel, O Conner, and all other his
friends, servants and alies, to levy, erect, stir and rear war against
our said soveraign lord's deputy and subjects, falsely and trayterously
against his duty of allegiance, which shee accomplished accordingly;
by occasion whereof, the persons aforenamed falsely and trayterously
made insurrection against our said soveraign lord and his deputy, by
invasion, and burning, killing, murdering and robbing his true obe-
dient subjects, not desisting from the same their trayterous acts untill
they were by force repressed by the puissance and power of our said
soveraign lord. And notwithstanding his grace of mercy and pity
remitted and pardoned, the said earl of Kyldare that his trayterous
conspiracies and offences, the same earl the xxiii year of our said
soveraign lord, falsly and trayterously, contrary to the lawes and
statutes of this land of Ireland and his allegiance, not onely per-
mitted and suffered O Neyle the King's Irish enemy, to invade and
destroy the county of Uriell within the said land, without any re-
sistance made therein by himselfe being the King's deputie, having
the governance, custodie and charge of the same, or any other for
him, but having his brother Sir John in company with the said O

A. D.

1537.

Attainder
of the earl of
Kildare and
others.

A. D. 1537. Neyle, by his commandement, to succour and guide, ayde and conduct the said O Neyle in that his trayterous enterprise, but also in his owne proper person invaded the county of Kilkenny, there burning and destroying the same, ryfling and robbing the King's subjectes aswell there as at the fair of Tristledermot, crying havocke upon the King's subjects which thither were resorted, caused them in his own presence to be spoiled and robbed of their goods, and divers of them murdered most cruelly and trayterously. Our said sovereign lord having notice of this and other his treasons, haynous offences, murders and extortions by him committed, and willing the reformation of the said land, and the relief and comfort of his subjects there, addressed his most gracious letters to the said earle of Kyldare, then being deputie lieutenant of his said land, commanding him by the same, to repayr to his highnesse presence into his realm of England, leavyeing such a person for the furniture of his realm, and governance of the said land in his absence, for whose doings he would answer. That notwithstanding at his said departure into England, he admitted and instituted in his place for the governance of the King's said land and subjects, as vicedeputy, not onely his son and heyre, named Thomas fitz Gerald, but also contrary to the King's expresse commandment, declared unto the said earle by John Alen master of the rolls, and one of the King's most honourable counsaile, in the presence of the bishop of Mieth, and the prior of Saint John's Jerusalem in Ireland, he conveyed out of the King's castell of Dublin all his graces gunnes, powder, shot, bows, arrows, caltrops, bills, and all other the King's artillerie and munitions of war, garnishing and furnishing his own castles and fortresses with the same, and delivering part thereof to wilde Irish men, being the King's mortall enemies. After whose departure into England, he at his thither coming perceiving upon the manifestation of his offences, that the King's majestie intended to remove him from the governance of the said land, such persons as were known to be chief of counsaile with the said earle and under him had not onely the governance of his said son, servants and people, with the custodie of his substance and goods, but also of all his lands, manors, castles and garrisons, aswell counsailed the said Thomas fitz Gerald to rebell against our said sovereign lord, as for the maintenance of him therein, delivered unto him the said earls goods, substance, manors, lands, castles and garrisons, together with the King's said ordnance and artillerie. Whereupon the said Thomas fitz Gerald immediately, being assisted and ayded by his father's brethren, kinsmen, servants, and followers, falsly and trayterously rebelled against our said sovereign lord, refusing and disobeying all commandments of his grace and his counsaile, concluded and determined most cruelly to murder, put to death, and exile all those that were resiant within the land, being born within the realm of England, and to conquer and take the same from the possession of our said sovereign lord and his heyres, reviling his grace with

with most shamefull and detestable infamies, and for the accomplishment of his trayterous purpose, did send his letters addrested aswell to the bishop of Rome, as the emperour, by one Cale mac Grauyll, otherwise called Charles Raynolde, archdeacon of Kelles, for to have their ayd against our said soveraign lord and his heyres, for the winning of the said land of Ireland out of their possession, and he to hold the same of them for ever. And among other his most detestable abominations, he procured and commaunded John Teling, and Nicholas Waffer of Dublin yeomen, servants to the said earl of Kyldare, to apprehend and take the most reverend father in God John Alen, archbishop of Dublin and primate of Ireland, and one of the King's most honourable counsaile, and him to keep in prison at Tartayne within the county of Dublin, and the said Thomas fitz Gerald, the xxviii. day of July in the xxvi. year of the raigne of our said soveraign lord King Henry the eight, accompanied with the most false disloyall traytour James Delahyde, Sir John fitz Gerald, Oliver fitz Gerald, brethren to the said earl, and divers others of the same earl's servants, caused the same archbishop to be drawn out of his bed and brought before him. And the said archbishop kneeling in his shirt bare footed and bare headed before him, asking of him mercy, immediately without any respite, most shamefully and trayterously murdered and killed out of hand, and also caused the said archbishop's servants, and as many other Englishmen as he could find within the land, to be mured. And after this, accompanied with the said Jame Delahyde, being principall counsaile to him in all his doings, John Delahyde, Edward fitz Gerald, Sir Richard Walth, parson of Loughsewdie, John Burnel of Balgriffen, Edward Rowks, James Field, servants, alies and diverse others his fautours and adherents, too long here to be exprest, with weapons invasive after the maner of war arrayed, and with banners displayed, falsly and trayterously invaded the King's dominion, encamping themselves within the same, there robbing, rifling, murdring, and destroying diverse the King's subjects, constraining all men to give an oath of obedience unto him, and to take his part against the King and his heyres, in his said false, trayterous, and disloyall purposes and intents, and not herewith contented, but accompanied with O Neyle, diverse Scots, the persons aforesaid, and many others, invaded, brent, and destroyed the lands of the earle of Ossorie, and the lord Butteler his sonne, and of others the King's subjects within the county of Kilkenny, mured divers of the King's subjects there, for that the said earle and his son tooke the King's part against him, who offered unto them to divide and give to them half the land of Ireland, to refuse the King, trusting by such his cruell persecutions, to constrain them to incline to his purpose. And further, amongst other his most false trayterous acts, accompanied with O Conor, William Bathe of Dullardeston, Christopher Eustace of Ballycutlane, and divers others besieged the King's citie and castle of Dublin, intending to take the same, out of

A. D. 1537. the King's possession, and to murder the King's subjects within the same, and thereof to disenherite our said sovereign lord and his heyres for ever. And semblably not only fortified and manned divers ships at sea, for keeping and letting, destroying and taking the King's deputie, army and subjects, that they should not land within the said land, but also at the arrivall of the said army, the same Thomas, accompanied with the said earle's brethren, his uncles, servants, and adherents, followers, James Delahyde, John Delahyde, John Burnell of Balgriffen, with divers others, too long here to be expressed, falsly and trayterously assembled themselves together upon the sea coast for the keeping and resisting of the King's deputie and army, and destroying of them, and the same time, they shamefully murdered divers of the said army coming to land. And Edward Rowkes, pyrate at the sea, captain to the said Thomas and James Field, destroyed and took many of them.

II. In consideration whereof, and other abominable treasons, and offences committed against our said sovereign lord, his right, crown, and majestie, and dignitie, by the said Gerald earle of Kyldare, Thomas fitz Gerald, James Delahyde, and other their aydors, comforters, counsailers and maintainers, and in detestation of their abomination, tyrannie, falshood and crueltie: Be it enacted, ordained and established, by the King our sovereign lord, the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That the same Gerald fitz Gerald, earl of Kyldare, late deceased, from the eight day July, in the twentieth year of our sovereign lord the King that now is, be deemed, reputed, convicted, adjudged, and attainted traytour of high treason, and that he and his heyres shall lose and forfeit the title, stile, and name of earl of Kildare, and shall also forfeit to our said sovereign lord and his heyres for ever, all honours, castles, mannors, lordships, leetes, franchises, hundreds, liberties, priviledges, advowsons, nominations, foundations, presentations, patronages, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, and all other hereditaments and profites whatsoever they be, whereof he the said Gerald earle by himself, or joyntly with any other, or any other or others to his use and behoof were seised the said eight day of July, or any time after, within the land of Ireland, in fee simple or in fee tayle, or in which the said Gerald late earle of Kyldare, or any other to his use, had the said eight day of July, or any time after, lawful cause of entre within the land of Ireland. And over that the said earle lose and forfeit to the King our sovereign lord, aswell all maner of such estates of freehold in use or in possession to his use and interest, for yeares, of all manors, castles, honors, lands, tenements, tythes, oblations, and all other profites, as all other his goods, cattels, debts, dueties, wards, marriages, relieves, and all other profites whatsoever they be, whereof the said earle or any other or others to his use or behoof, were

were seised or possessed the xxvi. day of June, in the xxvi. year of the reign of our sovereign lord, or any time sithence, of which goods, cattels, debts and duties, any sale, gift or payment without any fraud, deceit or collusion have not been made to or by the said earl.

A. D.
1537.

III. Provided alway, and also be it enacted by the authority aforesaid, that all such person or persons which have been farmers, occupiers, tenants, receivors, bayliffs, stewards, servants, and all other officers of the said earl, of the said honors, castles, manors, lordships, lands, tenements, and all other the premisses, and every parcel thereof at any time sithence the eighth day of July in the twentieth year of our said sovereign lord, unto the first day of February in the xxv. year of his grace's reign, shall be discharged and acquitted against the King our said sovereign lord, his heys and successors, of and for all such rents, issues, revenues, and all other profits of the said manors, honors, castles, and all other the premisses, or any part or parcel thereof, which they or any of them have payed or delivered, or cause to be payed or delivered unto the said earl of Kyldare, or any other or others by his assignment or commandment at any time before the said first day of February.

IV. And semblably, be it established, ordeyned and enacted by authority aforesaid, that the said Thomas Fitz Gerald, son and heyr of the said earl, sir John Fitz Gerald, Oliver Fitz Gerald, uncles to the said Thomas, James Delahyde son and heyr of sir Walter Delahyde of Moyclare knight, John Delahyde, Edward Delahyde parson of Kilbery, sons to the said sir Walter, John Burnel of Balgriffen esq; sir Richard Walsh parson of Loughsewdie, Chale mac Grauyll, otherwise called Charles Reynold, clerk, late archdeacon of Kells, James Gernon son and heyr of Patrick Gernon of Gernouston, Christopher Parese son and heyr to William Parese of Agher, Piers Walsh son to Walter Walsh, Robert Walsh and Maurice Walsh, sons to William Walsh late of Tiecroghan, Edward Rowks yeoman, and every of them, be deemed, reputed, convicted, adjudged, and attainted traytors of high treason, and that the said Thomas, James Delahyde, John Delahyde, Edward Delahyde, John Burnell, Richard Charles, James Gernon, Piers, Robert Maurice, and Edward Rowkes, shall suffer such execution and pains of death, as in cases of high treason hath been accustomed. And that they, and also the said Christopher Parese, John in Gilfenan late of Ballymon, which are dead, and every of them, forfeit to our sovereign lord the King, his heys and successors for ever, all honors, castles, manors, lordships, hundreds, leetes, franchises, liberties, priviledges, advowsons, foundations, nominations, patronages, presentations, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, and all other hereditaments and profits

A. D. 1537. fits whatsoever they be, whereof they or any of them, or any other or others, to their use and behalf, or to the use and behoof of any of them were seised the xxv. day of July, in the xxvi year of the reign of our said sovereign lord King Henry the eighth, or any time after within the land of Ireland in fee simple or fee tail, or into which any of them had then or any time after lawful cause of entre within the land of Ireland. And over that, they and every of them do forfeit and lose to our said sovereign lord the King, aswell all maner such estates of freehold and interest for years of lands, tenements, tythes, oblations, and all other profits, as all goods, cattels, debts, duties, wards, marriages, and reliefs, and all other profits whatsoever they be, whereof they or any of them, or any other or others to their use and behoof, or to the use and behoof of any of them, were seised or possessed the said xxv. day of July, the said xxvi. year or any time sithence, whereof any sale, gift or payment without any fraud, deceit or collusion, have not be made to or by them or any of them.

V. And over that, be it enacted, authorised and established by authority aforesaid, that after the death of the auncestours of any of the said persons, or any other by whom immediately they or any of them mought have had, any uses, lands, tenements, and other hereditaments in use by discent, remainder or reverter or otherwise, the first day of April in the xxv. year of our said sovereign lord's reign, all honours, castles, manors, lordships, uses, hundreds, fraunchises, liberties, priveleges, advowsons, nominations, presentations, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, possessions, hereditaments, and all other profits whatsoever they be, that they or any of them mought have had immediately in use, by discent, remainder, reverter, entre, lawful or otherwise, in fee simple, or in fee tail, the said first day of April, in the said xxv. year, if their auncestours or the auncestours of any of them, or any other, by whom they or any of them might have had in use by discent, remainder, reverter, entre, lawful, or otherwise the premisses, or any part thereof, then had departed this present transitory life, be forfeit to our said sovereign lord, his heirs and successors for ever. And that our sovereign lord the King, his heys and successors, immediately after the death of the said auncestours or any of them, or any other by whom immediately they mought have any uses, lands, tenements, and other hereditaments, in maner and form as is aforesaid, shall enter and enjoy all the said honours, castles, manors, lordships, lands, tenements, and all other the premisses, to have and to hold to our said sovereign lord, his heyres and successors for ever.

VI. And

VI. And be it further enacted by authority aforesaid, that as well all such persons, which sithence the feast of All Saints in the year of our lord God a thousand five hundred thirty four by the course of the King's laws within this land have been within this land convicted attainted of treason, as all others which at any time hereafter shall chaunce within the same to be convicted or attainted of high treason within the space of three years next following the first day of this present Parliament, forfeit and lose to our said sovereign lord the King and his heyres all honours, castles, manors, lordships, leetes, hundreds, franchises, liberties, priviledges, advowsons, nominations, foundations, patronages, presentations, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, and all other hereditaments, profits, whatsoever they be, that they or any of them, or any other or others to their use and behoof, or to the use and behoof of any of them, were seised the several dayes of their several treasons, offences, and trespasses by them committed and done, or any time after to be committed and done, within the land of Ireland, in fee simple or in fee tayl, or into which any of them had then or any time after lawful cause of entre within this land of Ireland, and also lose and forfeit to our said sovereign lord as well all such estates of freehold and interest for years, of lands, tenements, tythes, oblations, and other profits, as all goods, cattels, debts, wards, and all other profits whatsoever they be, whereof they or any of them, or any other or others to their use, or to the use of any of them, were seised or possessed at the time of conviction or attainder of any such offences, whereof any sale, gift, or payment without any fraud, deceit, or collusion had not been made to or by them or any of them. Saving always to every person or persons and bodies politique, their heyrs, assignes, and successors, and every of them, other than such persons, their heyrs, successors, feoffees, recoverers, conusees, and assignes, and the heirs, successors, feoffees, recoverers, conusees, and assignes of every of them, which by this present act be attainted, or sithence the feast of All Saints the year of our Lord God 1534 have bin attainted, or hereafter within the said three years shall be attainted, and their heyrs and successors, and all other claiming to their uses, or to the use of any of them, all such conditions, rents, commons, which they or any of them shall happen to have in or upon any such manors, lands, tenements, and any other hereditaments, that hath been or so shall happen to be lost or forfeit by reason of this act, or by reason of attaindor of any of the persons by the same attainted, sithence the feast of All Saints, the year of our Lord God 1534, have been attainted for any treason or other offence, at any time before the said treasons and offences committed. And also saving alwayes to every

A. D.

1537.

person and persons, their heyres, assigns, and successors, and every of them, other then such persons, their heyres, successors, and assigns, and the heyrs, successors, and assigns of every of them which by this present act be attainted, or sithence the feast of All Saints the year of our Lord God 1534 have been attainted, or hereafter within the said three years shall be attainted, and their heyrs and successors, and all other claiming to their uses, or to the use of any of them, all such right, title, use, interest, possession, condition, rents, charges, fees, offices, annuities, commons, which they or any of them shall happen to have, in, to, and upon any such manors, lands, tenements, and any other hereditaments, that so shall happen to be lost, and forfeited, by reason of the attainder of any person or persons, at any time after the twentieth day of June the xxvii. year of the reign of our said sovereign lord the King, within the said three years, other then such persons, their heyrs, successors, and assigns, and the heyrs, successors, and assigns of every of them, which by this present act be or shall be attainted, shall chaunce or fortune to be attainted for any treason or other offence at any time before the said treasons and offences committed.

VII. Provided also, and be it enacted by authority aforesaid, That if the said persons or any of them, which by this present act be attainted, or sithence the said feast of All Saints before specified have been attainted, or that hereafter within the said three years shall chance to be attainted of high treason, or within the said three years chaunce to be sole seysed or possessed, or joyntly seised or possessed with any other or others, to the use of any other person or persons, body or bodies politike, other then any such person or persons that by this present act be attainted, or sithence the feast of All Saints before specified have been attainted, or that hereafter within the said three years chance to be attainted of any manors, messuages, lands, tenements, and all other hereditaments, that the said manors, messuages, landes, tenements, and other hereditaments, be not forfeit to our said sovereign lord, ne his heirs, ne seisable, ne seised into the hands of our said sovereign lord, ne his heirs, so that the said use being in the said other person or persons, and bodies politique, be not conveyed from any of the said persons attainted or to be attainted in form aforesaid, sithence or after the day of the offences. And that it shall be lawfull to every such person and persons, body and bodies politique, their heires, successors, and assigns, that be not ne hereafter within the said three yeares shall be attainted of high treason as is aforesaid, to enter and seise as well upon the possession of the King, as any other person in the said manors, messuages, lands, tenements, and all other hereditaments, and them to have, hold, occupy, and enjoy the possession according to such estate and interest as they had in the said use of the same, in such form as if no such attaindor had not been had, nor within the said three yeares should fortune to be.

VIII. And moreover be it enacted and ordeyned by the said authority, that every of the wives of any of the said persons now living, by this act attainted and unhabled, and every such woman, such as was the wife of any of the said persons now dead, and were convicted and attainted of treason, or at any time hereafter shall be attainted or convicted of treason, be put to execution for the same, by this act unhabled, freely enjoy, have, and possess after the death of her husband all her own inheritance to her and to her heyres other than be attainted, or convicted, or hereafter at any time during the said three yeares shall be convicted or attainted, and unhabled by this act, and all castells, manors, lands, tenements, and all other the premisses, whereof they the several dayes of their husbands treasons and offences committed and done, or to be committed and done, in any wife, were or shall be seysed or possessed in her own right, estate, or possession, or of which any person or persons were or shall be seised or possessed to the use of every of the said women and her husband, and after the form and maner, and in like estate, as they or any of them were or shall be entitled to the same at the several dayes of their treasons and offences committed and done, or at any time hereafter to be committed and done. So that the said right, estate, possession, use, or inheritance of the said wife or wives last before rehearsed be not growne to them or any of them by the act or consent of any of their said husbands sithence or after the day of their several treasons done or to be done, and that during the said estate, be not seisable ne seised by this act into the King's handes, nor the King to be answered of any issues or profites of any part thereof, after the deaths of their said several husbands, the said estate during. And that it be lawfull to every of the said wives and women, and every of their heyres not convicted, ne attainted, nor at any time hereafter shall be convicted or attainted and unhabled by this act, and to everie other person or persons seised to the use of the said women, and their husbands, and their heirs, to enter into the said castles, manors, lordships, and other the premisses, and everie of them, into whose possession soever they be seised or come, as well upon the possession of the King, or upon the possession of every other person or persons, by this act not attainted nor unhabled, and them and every of them, hold and enjoy to her and her heirs not attainted nor convicted, nor at any time hereafter shall be convicted or attainted, ne unhabled by this act, according to her or their title, right, and interest in the same, in such form and condition as if this said attainder had never been had.

IX. And be it further enacted by authority aforesaid, that no manors, meases, lands, tenements, rents, reversions, services, ne any other hereditaments, whereof any person or persons, bodie

A. D.

1537.

Earl of Kildare, his brother and sisters restored to their blood.
Ir. 11 El.
c. 12.

A. D. ^{1537.} or bodies politique or incorporate was disseised or expelled of at any time by any of the aforesaid traytours, or any other person or persons whatsoever he or they be, sithence the first day of February, the year of our Lord God 1534, shall be forfeited unto our said sovereign lord the King, his heyres or successors, ne seised or seisable in his or their hands, ne that this act, nor any thing therein contained, in any wise be prejudicial or hurtful to any such person or persons, body or bodies politique or incorporate, so disseised or expelled, ne this same act, or any thing therein containd, extend to any such manors, messuages, lands, tenements, rents, reversions, services, or other hereditaments so had by disseissen or expullement sithence the said first day of February.

C H A P. II.

An Act of Succession of the King and Queen Anne. Rot. Parl. cap. 2.

The suc-
cession of the
King and
Queen Anne.

IN their most humble wise shewen unto your Majestie your most humble and obedient subjects, the lords spiritual and temporal, and the commons in this present Parliament assembled in your land of Ireland, That sithence it is the natural inclination of every man gladly and willingly to provide for the fuertie of both his title and succession, although it toucheth his onely private cause: We therefore, most rightful and dreadful sovereign lord, reckon our selves much more bounden to beseech and instant your highness, although we doubt not of your princely heart and wisdom, mixed with natural affection to the same, to foresee and provide for the perfect fuertie of both you and your most lawful succession and heyres, upon which dependeth all our joy and wealth, in whom also is united and knit the only mere true inheritance and title of this realm without any contradiction: Wherefore, we your said most humble and obedient subjects in this present Parliament assembled, calling to our remembrance the great divisions which in time past have been by reason of severall titles pretended to the imperial crown of the realm of England, whereunto this your land of Ireland is appending and belonging, which some times, and for the most part, ensued the occasion of ambiguitie and doubts, then not so perfittly declared, but that men might upon froward intents expound them to any man's sinister appetite and affection after their sence, contrary to the right legalitie of the succession and posteritie of the lawful Kings and Emperours of the said realm of England and of this land of Ireland, whereof hath ensued great effusion and destruction of man's blood, aswell of a great number of the nobles, as of other the subjects, and specially inheritours of the same: And the greatest occasion thereof hath been, because no perfect and substantial provision hath been made, when doubts and questions have been moved and proponed of the certainty and legalitie of the succession and

and posterity of the crown : by reason whereof, the Bishop of Rome, and the see apostolique, contrary to the great and inviolable graunts of jurisdictions given by God immediately to Emperours, Kings and Princes, in succession to their heyres, hath presumed, in times past, to invest who should please them, to inherit in other mens' kingdoms and dominions, which thing, we your most humble subjects, both spiritual and temporal, doe most abhor and detest. And sometime other forrein princes and potestates, of sundry degrees, minding rather dissention and discord, to continue as well in the said realm of England, as in your said land of Ireland, to the utter desolation thereof, then charitie, equitie, or unitie, have many times supported wrong tales, whereby they mought the more easie and facillie aspire to the superioritie of the same; the continuance and sufferance whereof deeply considered and pondered, were too dangerous and perilous to be suffered any longer, and too much contrary to the unity, peace, and tranquillitie of the said realm of England, and of this your said land of Ireland, being greatly reproachable and dishonourable to the said whole realm and land. In consideration whereof, your said most humble and obedient subjects, the nobles and commons in this your said land of Ireland, considering that there is a good act made within the realm of England, for the suretie of your highness, and your succession in the imperial crown of the same : and calling further to their remembrance, that the good unitie, peace, and wealth of the said realm of England and of this land, and the succession of the same, most specially and principally above all worldly things, consisteth and resteth in the certainty and surety of the procreation of posterity of your highness, in whose most royall person, at this present time, is no maner of doubt nor question ; do therefore most humbly beseech your highness, that it may please your Majesty, That it may be enacted by your highness, with the assent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, that the marriage heretofore solemnised between your highness, and the lady Katherine, being before lawful wife to prince Arthur your elder brother, which by him carnally known, as doth daily appear by sufficient prooffe in a lawful processe had and made before Thomas, by the sufferance of God, now archbishop of Canterbury and Metropolitan and Primat of all the same realm of England, shall be by the authority of this present Parliament, definitively, cleerly and absolutely declared, deemed and adjudged to be against the laws of Almighty God, and also accepted, reputed and taken of no value ne effect but utterly void and adnihilated. And the separation thereof made by the said archbishop, shall be good and effectual to all intents and purposes, any licence, dispensation or any other act or acts, going afore or ensuing the same, or to the contrary thereof in any wise notwithstanding, and that every such licence, dispensation, act or acts, thing or things heretofore had, made,

A. D.

1537.

The marriage of King Hen. 8. with Katherine his brother Arthur's widow, against the laws of God, and held void.

A. D.

1537.

done, or to be done to the contrary thereof shall be void and of none effect. And that the said lady Katherine, from henceforth shall be called and reputed, onely dowage to prince Arthur, and not Queen of the said realm of England, nor lady of this land of Ireland. And that the lawful matrimony had and solempnised between your highness and your most dear and entirely beloved wife Queen Anne, shall be established and taken for undoubtful, true, sincere, and perfect ever hereafter, according to the just judgment of the said Thomas archbishop of Canterbury, metropolitane and primate of all the said realm of England, whose grounds or judgments have been confirmed aswell by the whole clergie of the same realm in both the convocations, and by both the universities thereof, as by the universities of Bonony, Padua, Paris, Orleance, Tholouse, Angeow, and diverse others, and also by the private writing of many right excellent well learned men. Which grounds so confirmed, and judgment of the said archbishop ensuing the same, with your marriage solempnised between your highness, and your said lawful wife Queen Anne: we your said subjects both spiritual and temporal of this your land of Ireland, do purely, plainly, constantly, and firmly accept, approve, and ratifie for good and consonant to the laws of Almighty God, without error or default, most humbly beseeching your majestie, that it may be established for ever by your most gracious royal assent.

Marriages
not to be
within the de-
grees prohi-
bited by the
laws of God.

II. And furthermore, sithence many inconveniences have fallen, aswell within this your said land of Ireland, as in others, by reason of marrying within the degrees of marriage prohibited by God's law, that is to say, the son to marry the mother or the stepmother, the brother the sister, the father his sonne's daughter, or his daughter's daughter, or the son to marry the daughter of his father, procreate and born by his stepmother, or the son to marry his aunt, being his father's or mother's sister, or to marry his uncle's wife, or the father to marry his sonne's wife, or the brother to marry the brother's wife, or any man to marry his wife's daughter, or his wife's sonne's daughter, or his wife's daughter's daughter, or his wife's sister; which marriages, albeit they be plainly prohibited and detested by the lawes of God, yet, nevertheless, at som times they have proceeded under colours of dispensations by man's power, which is but usurped, and of right ought not to be graunted, admitted or allowed: for no man, of what estate, degree, or condition soever he be, hath power to dispence with God's lawes, as all the clergie of the said realm of England in the said convocations, and the most part of all the famous universities of Christendome, and we also, doe affirm and think. Be it therefore enacted by authority aforesaid, That no person or persons, subjects or resiants of this your said land of Ireland, of what estate, degree, or dignity soever they be, shall from henceforth marry within any of the said degrees afore rehearsed,

Power of
dispensation
usurped.

heard, what pretence soever shall be made to the contrary thereof; and in case any person or persons of what estate, dignity, degree or condition soever they be, hath been heretofore married within this your said land of Ireland, within any the degrees above expressed, and by any the archbishops, bishops, or ministers of the church of this your said land of Ireland, be separate from the bands of such unlawfull marriage, that then every such separation shall be good, lawful, firm, and permanent for ever, and not by any power, authority, or means, to be revoked and undone hereafter. And that the children proceeding or procreate under such unlawful marriage, shall not be lawful ne legitimate, any forrein lawes, licences, dispensation or other thing or things, to the contrary thereof notwithstanding; and in case there be any person or persons, within this your said land of Ireland, already married within any the said degrees above specified, and not yet separate from the bands of such unlawful marriage, that then every such person so unlawfully married, shall be separated by the diffinitive sentence, and judgment of the archbishops, bishops, or other ministers of the church of this your said land of Ireland, within the limits of their jurisdictions and authorities, and by none other power or authority. And that all other sentences and judgements, given and to be given by any archbishop, bishop or other minister of the church of this your said land, within the limits of their jurisdictions and authority, shall be definitive, firm, good and effectual, to all intents and purposes, and be observed and obeyed, without suing any provocation, appeals, or prohibitions, or other process from the court of Rome to the derogation thereof.

A. D.

1537.

The issue of such unlawful marriages illegitimate.

Separation to be made within the limits and jurisdiction of the church of Ireland.

III. And also be it enacted by authority aforesaid, That all the issue had and procreate, or hereafter to be had or procreate between your highness and your most deer and entirely beloved wife Queen Anne, shall be your lawful children, and be inheritable, and inherit according to the course of inheritance and law of the said realm of England, aswell the imperial crown of the said realm of England, as this your said land of Ireland, with all dignities, honours, preheminences, prerogatives, authorities, and jurisdictions, to the same annexed, or belonging, in as large maner as your Highness at this present time hath the same, as King of the said realm, and Lord of this your said land of Ireland, the inheritance thereof to be and remain to your said children and right heirs, in maner and form as hereafter shall be declared, that is to say, First, the said imperial crown and other the premises, shall be to your Majestie and to your heyres of your body lawfully begotten, that is to say, the first sonne of your body between your Highness and your said lawful wife Queen Anne begotten, and to the heyres of the body of the said first son lawfull begotten, and for default of such heyres, then to the second son of your body and of the body of the said Queen Anne begotten, and to the heyres

The inheritance of the crown to go to the first son of the body of K. Hen. 8. and of Queen Anne, and to the heirs of the body of such first son, and so to every other of son, &c.

A. D. 1537. of the body of the said second son, lawfully begotten, and so to every son of your body, and of the body of the said Queen Anne begotten, and to the heyres of the body of every such son begotten, according to the course of inheritance in that behalf. And if it shall happen your said dear and entirely beloved wife Queen Anne to decease without issue male, of the body of your highness to be begotten (which God defend) then the same imperial crown, and all other the premisses to be to your Majesty, as is aforesaid, and to the son and heyre male of your body lawfully begotten, and to the heyres of the body of the same son and heyre male lawfully begotten, and for default of such issue, then to your second son lawfully begotten, and so from son and heyre male to son and heyre male, and to the heyres of the severall bodies of every such son and heyre male to be begotten according to the course of inheritance, in like maner and form as it is aforesaid; and for default of such sonnes of your body begotten, and of the heyres of the severall bodies of every such sonnes lawfully begotten, that then the said imperial crown and other the premisses shall be to the issue female between your Majesty and your said most dear and entirely beloved wife Queen Anne begotten, that is to say, first, the eldest issue female, which is the lady Elizabeth, now princess, and to the heyres of her body lawfully begotten, and for default of such issue, then to the second issue female, and to the heyres of her body lawfully begotten, and so from issue female to issue female, and to the heyres of their bodies, one after another, by course of inheritance, according to their ages, as the crown of England hath been accustomed, and ought to goe, in cases when there be heyres females to the same; and for default of such issue, then the said imperial crown, and other the premisses, shall be to the right heyres of your Highness for ever.

Proclamation to be made of this act in every shire

IV. And be it further enacted by authority aforesaid, That on this side the first day of May next coming, proclamations shall be made in all shires within your land of Ireland, of the tenor and contents of this act: and if any person or persons, of what estate, dignity, or condition soever they be, subject or resiant within this your said land of Ireland, after the said first day of May, by writing, or imprinting, or by any exterior act or deed, maliciously procure, or doe, or cause to be procured or done, any thing or things, to the peril of your most royal person, or maliciously give occasion, by writing, print, deed, or act, whereby your Highness might be disturbed or interrupted of the crown of the said realm of England, or of this your said land of Ireland, or by writing, print, deed, or act, procure or doe, or cause to be procured or done, any thing, or things, to the prejudice, slander, disturbance or derogation of the said lawful matrimony, solemnised between your Majesty and the said Queen Anne, or to the perril, slander or disherison of any the issues and the heyres of your Highness, being limited by this

act

act to inherit and to be inheritable to the crown of the said realm, in such form as is aforesaid, whereby any such issues or heyres of your Highness might be destroyed, disturbed, or interrupted in body or in title of inheritance to the crown of the said realm, or of the possession of this your said land of Ireland, as to them is limited in this act, in form above rehearsed: that then every such person or persons, of what estate, degree, or condition they be of, subjects or resiants within this your said land of Ireland, and their aydors, counsailors, maintainers, and abbettors, and every of them, for every such offence shall be adjudged high traitors, and every such offence shall be adjudged high treason, and the offenders, and their ayders, counsellors, maintainers, and abettors, and every of them, being lawfully convicted of such offence by presentment, verdict, confession, or proceffe, according to the customes and lawes of this your said land shall suffer pains of death as in cases of high treason; and also that every such offender being convicted, as is aforesaid, shall lose and forfeit to your Highness and to your heires, Kings of the said realm of England, and lords of this your said land of Ireland, all such manors, lands, tenements, rents, annuities, and hereditaments, which they had in possession as owners, and were sole seised of, by, or in any right, title, or meanes, or any other person or persons had to their use, of any estate of inheritance at the day of such treasons and offences by them committed and done and that also every such offender shall lose and forfeit to your Highness, and to your said heires, aswell all maner such estates of freehold and interest for yeares, of lands and rents, as all other goods, cattels, and debtes, which they had at the time of conviction or attainder of any such offence. Saving alwayes to every person and persons, and bodies politique, to their heyres, assignes, and successors, and to every of them, other than such persons as shall be so convicted, and their heires and successors, and all other claiming to their uses, all such uses, right, title, interest, possession, condition, rents, fees, offices, annuities, and commons, which they or any of them shall happen to have to or upon any such mannors, landes, tenements, rents, annuities, or hereditaments, that so shall happen to be lost and forfeit by reason of attainder for any the treasons and offences above rehearsed, at any time before the said treasons and offences committed.

V. Be it further enacted by authority aforesaid, That if any person or persons after the said first day of May by any wordes without writing, or any exterior deed or act, maliciously and obstinately publish, devulge, or utter any thing or things to the peril of your Highness, or to the slander or prejudice of the said matrimonie solempnised between your Highness and the said Queen Anne, or to the slander and disherison of the issue and heires of your body begotten of the said Queen Anne, or any other your lawful heires, which shall be inheritable to the crown of the said realm of England, and of this your said land of Ireland, as is afore limited by this act; that then every

A. D.

1537.

High treason to do any act that may disturb or interrupt the inheritance limited as aforesaid.

Misprision of treason to utter any thing to the slander or prejudice of the said marriage, or of the issue so inheritable.

A. D.

1537.

such offence shall be taken and adjudged for misprision of treason ; and that every person and persons, of what estate, degree, or condition soever they be, subject or resiant within this your said land of Ireland, so doing and offending, and being thereof lawfully convicted by presentment, verdict, process, or confession, shall suffer imprisonment of their bodies at the King's will, and shall lose aswell all their goods, chattles, and debts, as all such interests and estates of freehold or for yeares, which any such offender shall have of or in any lands, rents, or hereditaments whatsoever, at the time of the conviction and attaindor of such offence.

Sanctuary
taken away.

VI. And be it also enacted by authority afore said, That no person or persons, offending in any the treasons or misprisions conteined and limited by this act, shall in any wise have and enjoy the priviledge of immunitie of any maner factuaries within your said land of Ireland, or elsewhere within the King's dominions, but shall utterly lose and be excluded of the same ; any use, custome, graunte, prescription, confirmation, or any other thing or things to the contrary thereof in any wise notwithstanding.

The issue
male under
18, and fe-
male under
16, and un-
married at the
time of the
King's death,
shall remain
until such
time under
governance of
their mother
and such o-
ther counsel-
lors of the
realm of Eng-
land, as the
King shall ap-
point.

VII. And be it also enacted by authority afore said, That if your Majestie should happen to decease before any such your issue and heire male, which should inherit the crown of the said realm of England, shall be of his age of xviii. yeares, or before such your issue and heire female, which should inherit the crown of the said realm shall be married, or be of the age of xvi. yeares, which Almighty God defend, that then your issue and heire male to the crown so being withing the age of xviii. yeares, or your said issue and heire female to the crown, being unmarried and within the said age of xvi. yeares, shall be and remain unto such time, as such issues and heires shall come to their said several ages afore limited, at and in the governance of their natural mother, she living, with such other counsaillors of your realm of England, as your Majestie in your life time shall depute and assign by your will or otherwise for the same, without contradiction of any person or person to the contrary thereof : and if any person or persons by writing, or exterior deed or act, procure or doe, or cause to be procured or done, any thing or things to the let or disturbance of the same, that then any such offence shall be high treason ; and the offenders, being thereof convicted, shall suffer such paines of death and losses of inheritance, freeholds, interests for yeares, goods, cattells, and debts, in such maner and form, as is above specified in cases of treason afore mentioned.

High trea-
son to let or
disturb the
same.

Oath of al-
legiance for
more sure
establishment
of this suc-
cession.

VIII. And for the more sure establishment of the succession of your most royal Majestie according to the tenor and form of this act be it further enacted by authority afore said, That as well the nobles of this your said land of Ireland, spiritual and temporal, as other your subjects now living, and being or that hereafter shall be at their full ages, by the commandment of your Majestie, or of your heires, or deputie of this your land, at all times hereafter from time to time,

when it shall please your Highness or your heires to appoint, shall make corporal oath in presence of your Highness, or your heires, or your deputie, or before such other as your Majestie, or your heires, or your deputie will depute for the same, according to the tenor of the oath hereafter following. *Ye shall swear to beare faith, trouth, and obedience to the King's Majestie, and to his heires of his bodie of his most deer and entirely beloved lawful wife Queen Anne begotten, and to be gotten: and further, to the heires of our said Sovereain Lord, according to limitation in the statute made for suretie of his succession in the crown of the realm of England, and of this his land of Ireland, mentioned and contained, and not to any other within the said realm of England, or within this land of Ireland, nor forain authoritie or potentate; and in case any oath be made or hath been made by you to any person or persons, that then ye repute the same as vain and adnihilate; and that to your cunning, wit, and uttermost of your power, without guile, fraud, or other undue mean, ye shall observe, keep, maintain, and defend the said act of succession, and all the whole effects and contents thereof, and all other acts and statutes made in confirmation or for execution of the same, or of any thing therein contained: and this ye shall do against all maner persons of what estate, dignitie, degree, or condition soever they be, and and in no wise do or attempt, or to your power suffer to be done or attempted, directly or indirectly any thing or things privily or apertly to the let, hinderance, damage, or derogation thereof, or of any part of the same, by any maner of means, or for any maner of pretence. So help you God, all saints and the holy evangelists.* And that all maner your subjects, as well spiritual as temporal, suing liverie, restitutions, or utter le maine out of the hands of your Highness, or of your heirs, or doing of any fealtie to your Highness or to your heirs by reason of tenour of their lands, shall swear a like corporal oath, as is afore rehearsed, and that they, nor any of them, shall hereafter have any liveries, utter le mayne, or restitution out of your hands, nor out of the hands of your heirs, 'till they have made their said corporal oath in form above rehearsed; and if any person or persons, being commanded by authoritie of this act to make the said oath afore limited, obstinately refuse that to do in contempt of this act, that then everie such person so doing to be taken and accepted for offendor in misprision of high treason, and that everie such refusal shall be deemed and adjudged misprision of high treason, and the offenders therein to suffer such pains and imprisonments, losses and forfeitures, and also priviledges of sanctuaries, in like maner and form as is above mentioned for the misprisions of treasons, afore limited by this act.

A. D.

1537.

Misprision of treason to refuse the said oath.

25 H. 8. 22. Eng.

The article of prohibition intended where marriages solemnised and natural knowledge had.

IX. Provided always, That the article in this act contained, concerning prohibitions of marriages within the degrees afore mentioned in this act, shall alwaies be taken, interpreted, and expounded of such marriages, where marriages were solemnised and natural knowledge had.

A. D.

1537.

C H A P. III.

The Act of Absentees. Rot. Parl. cap. 3.

The mis-
chiefs occa-
sioned by the
absence of
persons hav-
ing lands in
Ireland.

FOrasmuch as it is notorious and manifest, that this the King's land of Ireland, heretofore being inhabited and in due obedience and subjection unto the King's most noble progenitors, Kings of England, who in those daies in the right of the crown of England had great possessions, rents, and profits within the same land, hath principally growen into ruine, desolation, rebellion, and decaie, by occasion that great dominions, lands, and possessions within the same land as well by the King's graunts as by course of inheritance and otherwise descended to noblemen of the realm of England, and especially the lands and dominions of the earldoms in Ulster and Leinster, who having the same, both they and their heirs by process of time, demouring within the said realm of England, and not providing for the good order and suretie of the same their possessions there, in their absence and by their negligences suffered those of the wild Irisherie, being mortal and natural enemies to the Kings of England and English dominion, to enter and hold the same without resistance, the conquest and winning thereof in the beginning not onely cost the King's said noble progenitors charges inestimable, but also those to whom the said land was given, then and many years after abiding within the said land, nobly and valiantly defended the same against all the King's said enemies, and also kept the same in such tranquillitie and good order, as the Kings of England had due subjection of the inhabitants there, the laws obeyed, and of their revenues and regalitie were duly answered, as in any other where within the realm of England, and after the gift or discent of the said lands, possessions, and dominions, to the persons aforesaid, they and their heirs absented themselves out of the said land of Ireland, demouring within the realm of England, not pondring ne regarding the preservation thereof, the towns, castles, and garisons, appertaining unto them, fell in ruin and decaie, and the English inhabitants there in default of defence and justice and by compulsion of those of the Irishry were exiled, whereby the King's said progenitors lost aswell their dominion and subjection there, as also all their revenues and profites, and their said enemies by readepting or attaining the said lands, dominions, and possessions, were elevated into great dominion, power, strength, and puissance, for the suppressing of the residue of the King's subjects of this land, which they daily ever sith have attempted, whereby they from time to time usurped and encroached upon the King's dominion, which hath been the principal cause of the miserable estate, wherein it is at this present time, and those lands and dominions, by negligence and in default of the very inheritours after this maner lost, may be good ensample to the King's Majestie now being, intending the reformation of the said land, to
foresee

forsee and prevent, that the like shall not ensue hereafter ; for where the noble prince Thomas Haward duke of Norffolke, and the lord Berkely his comparcioner, claim and hold as their auncient enheritance the feignories and lordships of Catherlagh, Old Rosse, and divers other manors and lands within the said land, and George Talbot, earle of Waterford and Salop, the feignorie of Wexford, and the heires general of the earle of Ormond divers other possessions and lands, the abbot of Furnes, the abbot of Saint Augustins of Bristow, the prior of Christchurch of Canterbury, the prior of Lanthonie, the prior of Cartmell, the abbot of Kentesham, the abbot or prior of Osney, the abbot or prior of Bathe, and the master of Saint Thomas of Acres, everie of them several lands and possessions within the said land, which both they and their antecessours and predecessors in semblable wise, not regarding the defence ne good order of the same, diverse times not onely have suffered the King's enemies to encroach and enter into their dominions and possessions, so as for the recoverie thereof the King's highness, that now is, his father and graundfather, at diverse and several seasons have been put to inestimable charges, and the same so by them attayned, the said inheritors and possessioners have entred again into their said lands and possessions, taking the profites thereof for a season, without provision making for any defence or keeping thereof in good order, but making leases of divers their holds and manours to the late earle of Kildare, which by occasion of the same came to the possession of Thomas fitz Gerald, his sonne and heire, who now of late like a most false disloyal traditour with his complices rebelled against our sovereign lord the King, entending most falsely and traditorously to take the said land of Ireland out of his possession, and him and his heires thereof to disherite for ever ; among other was aided assisted and maintained, against our sovereign lord in that his most false and traditorous purpose by the inhabitants and occupiers of the said lands and possessions, so as for repressing as well of the said Thomas fitz Gerald and other his complices, as winning of the castells of Catherlagh, Old Rosse, Arcloo, Tullagh in Offelime, Kilrush, and other fortresses of the inheritance and possessions of divers the persons aforesaid, and other lands out of his and their possessions, the King's said Majestie was enforced to his great charges to send thither and keep there an armie royal ; and also considering that the persons aforesaid, having heretofore the same lands and possessions at their own disposition and order, perceived little profit thereby, and yet by their negligence and misorder thereof, and especially within the counties of Catherlagh and Wexford, being places priviledged by the King's said most noble progenitors that the lords thereof may keep and hold all maner plees within the same, by occasion and under pretence and colour whereof the King's laws, writs, or other procees be not obeyed, neither any other law or justice there used or administered for the quieting and good order of the King's subjects, inhabitants within the same, so as in de-

A. D.

1537.

The several
persons of
England that
hold lands in
Ireland.

Rebellion
of earl of
Kildare.

A. D.

1537.

The King
in right of his
crown of Eng-
land to enjoy
all the ho-
nours, manors,
&c. of the
duke of Nor-
folk and other
absentees na-
med.

Saving the
Right, &c. of
subjects dwel-
ling in Ire-
land.

fault as well thereof as of a governour to rule, order, and guide them, the King's enemies have them in servage, all murders, robberies, thefts treasons, and other offences remain there unpunished, the King's wards, reliefs, eschates, and all other his profits and revenues being withdrawn, and the service, strength, and assistance of the said subjects is greatly diminished, and for those and diverse other hurts and enormities which been like to ensue to the common weale of the said land, to the prejudice of our sovereign lord the King and his heires, by the disorder of the lands and possessions belonging to any of the persons aforesaid, and in respect of the inestimable charges which the King our sovereign lord hath sustained, and apparently hath occasion to sustain, for and about the conquest and recontinuance of the same out of his enemies possession, by authority and reason whereof, albeit that his grace hath lawful and sufficient right to all the said feignories, lands, and possessions, and that if his grace would take of the inheritors and possessioners of the same the arrearages of the two parts of the yearly profits thereof, by reason of their absence out of the said land, contrary to the statutes thereof provided, the same would countervail the purchase thereof; yet for corroboration of the right and title of our said sovereign lord the King and his heires, which he hath to all the same lands, dominions, and possessions, be it enacted, established, and ordained by the King our sovereign lord, the lords spiritual and temporal, and commons in this present parliament assembled, and by authority of the same, That the King, his heires and assignes, shall have, hold, and enjoy as in the right of the crown of England all honors, manors, castles, feignories, hundreds, franchises, liberties, countie palentines, jurisdictions, auctorities, knights fees, advowsons, patronages, lands, tenements, woods, meadowes, pastures, reversions, remainders, rents, services, parsonages, vicarages, dismes, tythes, oblations, obventions, pensions, and all and singular other possessions, hereditaments, and all other profits aswell spiritual as temporal, whatsoever they be, which the said duke and his comparcioner, or the said earle of Waterford and Salop, or the said heires general of the earle of Ormond, or any the abbots, priors, and master aforesaid, or any of them, or any person or persons to their uses, or to the use of any of them within this land of Ireland, or whereunto they or any of them, or any to their uses, or to the use of any of them, have lawfull right, title, possession or clause of entre. Saving to all and every person and persons the King's natural subjects dwelling in this land, other than the duke and his said comparcioner, the said earl, and the said heires general to the earle of Ormond, and the said abbots, priors, and master, and their heires, and successors, and the heires and successors of any of them, and such as claim to their uses, or to the use of any of them, all such right, title, interest, use, possession, leases, rents, annuities, offices, and fees, as they have in or

to the premisses or any parcel thereof, as if this act had never been made.

A. D.

1537.

II. Provided always, and be it enacted by the authority of this present Parliament, that this foresaid act, ne any thing therein contained, be in any wise prejudicial or hurtful to Thomas Howth of Tertayne now secundary justice of our sovereign lord the King's high bench of Ireland, and Patricke Barnewal of Fieldeston, their executors or assignes, or any of them, in, of, or for any manors, meases, lands, tenements, rents, reversions, services, patronages, advowsons, chappels, priories, felles, parsonages, vicarages, dismes, oblations, obventions, pensions, as well spiritual as temporal, or any other hereditaments or profites, spiritual or temporal, which the said Thomas and Patricke have of the graunt or lease of Richard Prior of the monasterie of the blessed ladie of Cartmell and convent of the same, in ferme, with the assent and consent of the said convent. But that the said Thomas and Patricke, their executors and assignes, and the executor and assigne of either of them, shall occupy, have, possess, and enjoy all and singular the said mannors, meases, lands, tenements, tithes, oblations, hereditaments, and everie other the premisses, graunted and lett, during and for the terme of eight and thirtie years next ensuing, during the said term, paying therefore yearly unto our said sovereign lord, and to his heires, the rent reserved in the said indenture.

Proviso not
to prejudice
particular
persons na-
med.

III. Provided also, and be it enacted by authoritie aforesaid, That the foresaid act, or any thing therein contained, be in any wise prejudicial or hurtful to Sir John Barnewal knight, Lord of Trimlestone, and Patrick Barnewal of Fieldeston, their executors or assignes, or any of them, in, of or for, the office of the steward, seneschal, surveyor, and receiver, of the manors, and lordships of Rushe, Balcadon, the moytie or halfendell of the manour of Portrane, or of the manours and lordshippes of Woughterade, Castelwarning, Clyntoncourt, or the lordship and manour of Blackastell, or any fee, pensions, annuitie, commodity, or profit, that they or any of them have or should have by reason or for the exercising of the said offices, but that the said Sir John and Patrick, jointly and severally during the lives of the said Sir John and Patrick, and the longer liver of them, shall have, hold, exercise, occupie, possess, and enjoy the said offices and every of them, by themselves or any of them, or by their sufficient deputie or deputies, or by the sufficient deputie or deputies of any of them, during the lives of the said Sir John and Patrick, and the longer liver of them, having, taking, and perceiving such like fees, wages, profites, commodities, casualties, and advantages, as Sir Barthelm Dillon knight deceased, late had and perceived, by reason and for the exercising of the said offices, or any of them, yearly to be perceived, levied, and received at the feasts of Saint Michael the Archangel, and Easter, by

A. D. ^{1537.} even portions of the rents, services, revenues, and profits of the said manors, lordships, and other the premisses. Provided also that this foresaid act, ne nothing therein contained, be in any wise prejudicial or hurtful to any archbishop, bishop, abbot, prior, dean, archdeacon, of this land of Ireland, being resident and dwelling within the said land, which hath any jurisdiction within the same, or to the successors of any of them, other than the said abbots of Furnes, Saint Augustines of Bristow, and of Kentelham, the abbot or prior of Osney, the abbot or prior of Bathe, and the master of Saint Thomas Acres, the prior of Christchurch of Canterbury, the prior of Lanthonie, and the prior of Cartmell, and the successors of any of them, in or for their sinodalls, visitations, proxies, pensions, portions, and annuities of them or any of them, which they or any of them be rightfully entitled to have by composition, custome, or otherwise. Provided alwayes, that this act or any thing within the same contained be not prejudicial or hurtful to the right reverend father in God Edward bishop of Meyth, nor to his successors, in, of or for synodals, proxies, pensions, annuities, or of any other issues, or profits due unto the said bishop or his successors by any manner of right, title, or composition, which the said bishop hath had or received heretofore, in, or of the houses and granges of Duleke and Colpe churches and benefices in Ireland, belonging to the said houses and granges, and to the houses of Lanthonie in England. Provided also that this foresaid act, nor any thing therein contained, in any wise be not prejudicial or hurtful to the suffraigne, portrises, and commons of the town of Rosse, or to the suffraigne, bayliffes, and commons of the town of Wexford, or to the suffraigne, portrises, and commons of the town of Kilkenny, or to the suffraigne, burgeses and commons of the towne of Clonmel, or to any of them, or to the successors of them or any of them, in, of, for or concerning any graunts, liberties, priviledges, franchises, corporations, profits or commodities, or any other thing or things to them or any of them or to their predecessors, or to the predecessors of any of them extending by the same graunts to their successors and to the successors of any of them by any maner of mean, given, graunted, or confirmed before the first day of this present Parliament, this present act in any wise notwithstanding.

IV. Provided also, and be it enacted by authority of this present Parliament, that this foresaid and present act, ne any thing therein conteyned, be in any wise prejudicial or hurtful to any person or persons, in, of, or for any, and every of their cornes (tythes only except) which they or any of them hath growing or coming out and upon the said lands, tenements, and other the premisses, and every parcel thereof, unto the feast of Saint Michael the Archangel next coming. But that it shall be lawful to every such person and persons as hath any such cornes to rippe, carry and convey the same at
his

his and their will and pleasure, this foresaid and present act or any thing therein conteyned in any wise notwithstanding.

A. D.

1537.

V. Provided also, and be it enacted by authority of this present Parliament, that all obligations, bondes of the staple, recognizances, indentures, and all other writings and specialties, wherein any person or persons standeth bounden for the payment of any rents, issues, revenues, and profites, for, or by reason, or going out of the said lordships, manors, lands, tenements, and other the premisses, or any parcel thereof, by authority of this present act be deemed, ordered, reputed and adjudged, frustrate, and void, and of none effect in law.

Obligations,
Ec. for pay-
ment of rent
out of the
premisses to be
void.

VI. Provided also, that this act, ne anie thing therein conteyned, be in no wise prejudicial or hurtful to the portrifes, burgeses, and commons of the town of Fithirde, or to the portrifes, burgeses, and commons of the town of Cashell, or to any of them, or to the successors of them or any of them, in, of, for, or concerning any graunts, liberties, priviledges, franchises, corporations, profits, or commodities, or any other thing or things to them or any of them, or to their predecessors, or to the predecessors of any of them, extending by the same graunts to their successors, and to the successors of any of them, by any manner of mean, given, granted, or confirmed before the first day of this present Parliament, this present act in any wise notwithstanding.

C H A P. IV.

The Repeal of Poynings Act.

FOR the great trust and confidence that the King's highnesse hath in his deputie and counsaile of this his land of Ireland, and in the nobles spiritual and temporal, and the commons his loving subjects of the same, his Majestie is pleased and contented, that it be enacted by authority of this present parliament, That this present parliament summoned, begun and holden, and every act, ordinance, provision, thing or things, of what nature, name, condition, or quality it be of, had, done, made or established, or hereafter to be had, done, made, or established, by authority thereof, shall be good and effectual to all intents and purposes according to the tenour and effect of the said acts, ordinances, and provisions; the act made at Drogheda in the Parliament there holden the Monday next after the feast of Saint Andrew, in the tenth year of the most noble King of famous memory, King Henry the seventh, before Sir Edward Poynings knight, then being deputy of this land, or any other act or acts, use or custom, heretofore had, done, or made within this land to the contrary of this present Parliament, or any thing made or established by authority of the same in any wise notwithstanding.

10 H. 7. 4.
11 El. 1.
28 H. 8. 20.
This Parliament and all acts and ordinances thereof valid, notwithstanding 10 H. 7. 4. or any other thing to the contrary. Provided such acts, Ec. thought expedient for the King's honour, increase of his revenue, and for the commonweale; and no act be passed relating to the property of private persons, or incorporate bodies, or in derogation of grants from the crown to cities or borough towns.

II. Provided alway, and be it enacted, that by force and virtue of this present act, ne any thing therein contained, no act, ordinance, provision, thing or things, of what nature, name, condition,

A. D. ^{1537.} or qualitie sover it be, for any manors, lordships, lands, tenements, advowsons, abbeyes, priories, felles, or any other hereditaments, whatsoever they be, for or between any person or persons, bodie or bodies politique or incorporate, or any other particular act, ordinance, or provision, or any other act, ordinance, or provision, that shall be prejudiciall, hurtfull, or in derogation of any graunts, liberties, franchises, usages, customes, or any other commodities or priviledges, given or graunted by our sovereign lord the King or his noble progenitors to any citie or borough towns within this land of Ireland, be enacted or established by virtue or authority of this present Parliament, but only such acts, ordinances, and provisions, thing or things, as shall be thought expedient for our soveraigne lord the King's honour, the encrease of his grace's revenues and profites, and the common weale of this his land and dominion of Ireland.

C H A P. V.

An Act authorising the King, His Heirs and Successors, to be supreme Head of the Church of Ireland.

26 H. 8. 1.
Eng.
 The King
 his heirs and
 successors to
 be supreme
 head of the
 church of Ire-
 land, and
 shall have the
 title thereof,
 and jurisdic-
 tion, &c.
 thereto be-
 longing an-
 nexed to the
 crown of
 England, and
 visit and
 amend all
 errors, &c.
 which by any
 spiritual ju-
 risdiction may
 be reformed.
 2 Eliz. 1.

LI K E as the King's Majesty justly and rightfully is and ought to be supreme head of the church of England, and so is recognised by the clergie, and authorised by an act of Parliament made and established in the said realme: So in like maner of wise, forasmuch as this land of Ireland is depending and belonging justly and rightfully to the imperial crown of England, for increase of vertue in Christ's religion within the said land of Ireland, and to repress and extirp all errors, heresies, and other enormities and abuses, heretofore used in the same: be it enacted by authority of this present Parliament, That the King our sovereign lord, his heyres and successors, Kings of the said realm of England, and lords of this said land of Ireland, shall be accepted, taken, and reputed the only supream head in earth of the whole church of Ireland, called (*Hibernica Ecclesia*) and shall have and enjoy, annexed and united to the imperial crown of England, as well the title and stile thereof, as all honours, dignities, preheminences, jurisdictions, priviledges, authorities, immunities, profites, and commodities to the said diginitie of supreme head of the same church belonging and appertayning, and that our said sovereign lord, his heyres and successors, Kings of the said realm of England, and lords of this land of Ireland, shall have full power and authority from time to time to visit, repress, redress, reform, order, correct, restrain, and amend all such errors, heresies, abuses, offences, contempts and enormities, whatsoever they be, which by any maner spiritual authority or jurisdiction ought or may lawfully be reformed, repressed, ordered, redressed, corrected, restrained, or amended, most to the pleasure of Almighty God, the increase of vertue in Christ's religion, and for the conservation of

peace,

peace, unitie, and tranquillitie of this land of Ireland: any usage, custome, foreign laws, foreign authoritie, prescription, or any other thing or things to the contrary thereof notwithstanding.

A. D.

1537.

II. Provided alway, and be it enacted by the authority of this present Parliament, That if it fortune our sovereign lord the King, his heyres or successors, to authorise and depute any person or persons to visit, repress, redress, reform, order, correct, restrain, or amend, by force of the present and foresaid act, that then any such Person or persons shall go with such company, as shall be convenient and necessary for the same; and that according the habilitie, substance, and power of the person, house, or monasterie, which they shall so fortune to visit, repress, redress, reform, order, correct, restrain, or amend; and that no such person or persons, so appointed or authorized to visit, repress, redresse, reforme, order, correct, restrain, or amend, shall take, or cause to be taken, any process money, or other exactions of any such person, house, or monasterie, which they shall so fortune to visit, repress, redress, reform, order, correct, restrain, or amend, but onely convenient meat, drink, and lodging for themselves, their company, servants, and horses; and if any such person or persons, so appointed and authorized as aforesaid, do take, or cause to be taken, any process money, or any other exactions, (other than is aforesaid) that every of them so offending shall forfeit four times the value of that, that he receiveth, or cause to be received, the one half thereof to our sovereign lord the King, his heyres and successors, and the other half to any person or persons that will sue for the same by action of debt, information, or otherwise, wherein no wager of law, essoine, ne protection shall lye.

C H A P. VI.

An Act of Appeales. Rot. Parl. cap. 7.

WH E R E divers good and wholsome laws and statutes be made and established within the realm of England for the adnulling and utter taking away of appeales in cases spiritual from the bishop of Rome and See Apostolike, and such other as claim by authority of the same, not onely for great speed of justice to the King's subjects of the said realm, but also in taking away the long delayes, costs, charges, and expences that the said subjects sustayned by reason of such appeales: and forasmuch as this land of Ireland is the King's proper dominion of England, and united, knit, and belonging to the imperial crown of the same realm, which crown of itself, and by it self, is fully, wholly, intirely and rightfully endowed and garnished with all power, authority, and preheminance, sufficient to yield and render to all and singular subjects of the same full and plenarie remedies in all causes of strife, debate, contention, or division, without any suite, provocation, ap-

Recital that good laws were made in England, taking away appeal to Rome in spiritual causes.

Eng. 24 H. 8. 12.

25 H. 8. 19. 2 El. 1. confirmed.

That the crown has sufficient power to render justice to its subjects.

A. D.

1537.

None here-
after to ap-
peal to Rome,
or obey the
process of
that court, on
pain of a præ-
munire.

peale, or any other process to be had, made, or sued to any for-
rein prince or potentate spiritual or temporal: be it therefore,
and for the common weal of the subjects of this land, ordained,
and enacted by authority of this present Parliament, That no per-
son or persons, subjects or resiants of this land, shall from the
first day of this present Parliament pursue, commence, use, or exe-
cute any manner of provocations, appeales, or other process, to or
from the bishop of Rome, or from the see of Rome, or to or from
any other that claime authority by reason of the same, for any
manner of case, grief, or cause, of what nature soever it be, upon
the pain that the offenders, their aydors, counsaylors, and abetors,
contrary to this act, shall incur and run into such paines, for-
feitures, and penalties, as be specified and contained in the act of
provision and premunire, made in the realm of England in the
sixteenth year of King Richard the second, sometime King of
England and lord of Ireland, against such as procure to the court
of Rome or elsewhere to the derogation or contrary to the pre-
rogative or jurisdiction of the said crown of England. And that
no manner of person, subject or resiant within this said land, shall
attempt, procure, or obtain any manner of process, of what kind
or nature soever it be, to or from the same bishop of Rome, or
court of Rome, or See Apostolike, or from any other having autho-
rity by the same, to the let or interruption of this act, or any thing
therein contained, nor in any wise obey or execute within this
land such manner of process, upon like pains and forfeits as been
above rehearsed.

Appeals
shall be to the
King, or chief
governor of
Ireland to
their court of
chancery,
which shall
grant a com-
mission or de-
legacy for
final deter-
mination.

II. And to the intent that the subjects and resiants of this
land shall and may take and hear the appeales in their just
and lawful causes, for lacke of justice within this land, be it
further enacted by authority of this present Parliament, That in
and for all maner of causes, griefes, and cases, as they or any
of them were wont and accustomed to have in their provoca-
tions, appeales, and other process in cases of debate and conten-
tion, to or from the bishop of Rome, or to or from the See
Apostolike, or court of Rome, they now being grieved, shall have,
take, and use from the first day of this present Parliament their
provocations, appeales, and such like process, to the King of Eng-
land and lord of Ireland, his heyres and successors, or to his or
their lieutenant, deputie, justice, or other governour, whatsoever he
be, of this land of Ireland for the time being, to his or their court
of chauncerie within the same realm of England or land of Ireland:
and that upon every such provocation, appeal, and process, made to
the King of England and lord of Ireland, and to his heyres and
successors, the chauncellor of England, or keeper of the great seale
for the time being, shall graunt a commission or delegacy to some
discreet and well learned persons of this land of Ireland, or else in
the realm of England, for final determination of all causes and
griefes contayned in the said provocations and appeales, and in the
principal

principal matter, and in all circumstances and dependants thereupon. And that upon every such provocation, appeal, or process made to the said lieutenant, deputie, justice, or governour, the chancellor of this said land of Ireland, or keeper of the great seale of the same for the time being, by the assent of the chief justices of the king's bench and common place, the master of the rolls, and the underthesaurer of the said land for the time being, or to any two of them, so as the said underthesaurer be one, shall grant a commission or delagacie to some discreet and well learned persons within this land of Ireland, for final determination of all causes and griefes conteyned in the said provocation and appeales, and in the principal matter, and all circumstances and dependants thereupon, which commissioners so named, shall have like power and authority in all manner of things, as commissioners assigned in appeales made to the King's highness in the realm of England have, by authority of their commission, or by vertue of any acts made for appeales within the said realm; any forrein laws, prohibitions, inhibitions from the court of Rome, customes, usages, prescription, or any other thing or things to the contrary thereof notwithstanding.

A. D.

1537.

C H A P. VII.

An Act of Slauder. Rot. Parl. cap. 8.

WH E R E in a Parliament begun at London in the realm of England, the third day of November, the xxi. year of the reign of our most dread soveraign lord King Henry the eighth, King of England and of France, defendor of the faith, Lord of Ireland, and supream head in earth of the church of England, and from thence adjourned to Westminster, and by divers prorogations there holden and continued, it was and is enacted amongst other things, in manner and form as followeth: Forasmuch as it is most necessary, both for common policie and duetie of subjects, above all things, to prohibit, provide, restrain, and extinct all manner of shameful slaunders, perills, or imminent danger or dangers which might grow, happen or rise to their soveraign Lord the King, the Queen and their heyers, which when they be heard, seen, or understood, cannot be but odible, and also abhorred of all those sorts, that be true and loving subjects, if in any point they may doe or shall touch the King, his Queen, their heyres and successors, upon which dependeth the whole unitie, and the universall weal of this realm, without providing wherefore too great a stop of unreasonable libertie should be given to all cankered and trayterous hearts, workers and willers of the same, and also the King's loving subjects should not declare unto their soveraign Lord now being (which unto them hath been, and is most entirely both beloved and esteemed) their undoubted sincerity and truth. Be it therefore enacted by the assent and con-

26 H. 8. 13.

Eng.
Slandering
the King,
Queen, or
heirs apparent
by words
or writing,
wishing, or
practising any
harm to them,
or to their
dignity, &c.
rebelliously
detaining any
of the King's
fortresses,
ships, artil-
lery, &c.
treason.

1537.
Chap. 7. A. D. sent of our soveraign Lord the King, and the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That if any person or persons, after the first day of February next coming, doe maliciously wish, will, or desire, by words, or writing, or by craft, imagin, invent, practise, or attempt, any bodily harm to be done or committed to the King's most royal person, the Queen, or their heyres apparent, or to deprive them, or any of them, of the dignitie, title, or name of their royal estates, or flaunderously and maliciously publish and pronounce by expresse writing, or words, that the King our soveraign lord should be heretick, schismatick, tyrant, infidell, or usurper of the crown, or rebelliously doth detain, keep, or withhold from our said soveraign Lord, his heyers or successors, any of his or their fortresses, fortilesses or holds, within this realm, or any other the King's dominions or marches, or rebelliously detain, keep, or withhold from the King's said Highness, his heyres or successors, any of his or their ships, ordnances, artillery, or other munitions or fortifications of war, and doe not humbly render and give up to our said soveraign Lord, his heyres or successors, or to such persons as shall be deputed by them, such castles, fortresses, fortilesses, holds, ships, ordnances, artillery, and other munitions and fortifications of war rebelliously kept, or detayned, within fixe dayes next after they shall be commanded, by our said soveraign Lord, his heyres and successors, by open proclamations under the great seale: that then every such person and persons so offending in any of the premisses, after the said first day of February, their aydors, counsailors, consentors, and abettors, being thereof lawfully convicted, according to the laws and customes of this realm, shall be adjudged traitours; and that every such offence in any the premisses that shall be committed or done after the said first day of February, shall be reputed, accepted, and adjudged high treason, and the offenders therein, and their aydors, consentors, counsailors, and abettors, being lawfully convict of any such offence as is aforesaid, shall have and suffer such paines of death and other penalties, as is limited and accustomed in cases of high treason.

II. And to the intent that all treasons should be the more dread, hated, and detested to be done by any person or persons, and also because it is a great boldness, and an occasion to evil disposed persons to adventure and embrace their malicious intents and enterprises, which all true subjects ought to studie to eschue: be it therefore enacted by authority aforesaid, that none offender, in any kinds of high treasons whatsoever they be, their aydors, consentors, counsailors and abettors, shall be admitted to have the benefit or privileges of any manner of sanctuary, considering, that matters of treasons toucheth so nigh, both the suertie of the King our soveraign lord his person, his heyres and successors.

Sanctuary
taken away in
high treason.

III. And

III. And over that, be it enacted by authority aforesaid, That if any of the King's subjects, denizens, or other, doe commit or practise out of the limits of this realm, in any outward parts, anie such offences which by this act are made, or heretofore have bin made treason; that then such treasons, whatsoever they be, that shall so happen to be done or committed, shall be enquired and presented by the oathes of twelve good and lawful men, upon good and probable evidence and witness, in such shire and county of this realm, before such persons as it shall please the King's highness to appoint, by commission under his great seal, in like manner and form as treasons committed within this realm have been used to be enquired of and presented; and that upon everie inditement and presentment founden and made of any such treasons, and certified into the King's bench, like proces and other circumstance shall be there had and made against the offenders, as if the same treasons so presented had lawfully found to be don and committed within the limits of this realm; and that all proces of outlarie hereafter to be made and had within this realm, against any offenders in treason, being resiant or inhabited out of the limits of this realm, or in any other of the parts beyond the sea, at the time of outlarie pronounced against them, shall be as good and effectual in the law, to all intents and purposes, as if such offenders had been resiant and dwelling within this realm, at the time of such proces awarded and outlarie pronounced.

IV. And be it further enacted by authority aforesaid, That every offender, and offenders, being lawfully convict of any manner of high treasons, by presentments, confession, verdict, or proces of outlarie, according to the due course and custom of the common law of this realm, shall lose and forfeit to the King's highness, his heyres and successors, all such lands, tenements, and hereditaments, which any such offender or offenders, shall have of any estate of inheritance in use or possession by any right, title, or meanes, within the realm of England, or elsewhere within any the King's dominions, at the time of any such treason committed, or any time after. Saving to every person or persons, their heyres and successors, other then the offenders in any treasons, their heyres and successors, and such person and persons, as claim to any their uses, all such right, titles, and interestes, possessions, leases, rents, offices, and other profits, which they shall have at the day of committing such treason, or at any time afore, in as large and ample maner, as if this act had never been had or made.

V. Considering that this estatute made in the realm of England is most beneficial and expedient, to have due execution within the King's land and dominion of Ireland, especially in respect of the high rebellion here lately committed, and that the odible infamies against the King and Queen, in the same act expressed, and other offences, abuses, and abominations, there mentioned principally, have bin

A. D.

1537.

Chap. 7.

Treasons committed out of the realm, to be tried in any county where the King shall appoint by commission: and upon indictment found and certified into B. R. such proceeding shall be as if the treason found within the realm.

Outlawry for treason against persons residing abroad, as effectual as if residing within the realm.

Ir. 27. El. 1. Offenders in high treason forfeit all lands, &c. of inheritance in use or possession, by any title, at time of the treason or after.

Saving the rights of others.

This act made in England enacted and confirmed in Ireland.

A. D. ^{1537.} promulged, pronounced, done, and attempted within this said land. Be it therefore established, ordayned, and enacted, by authority of this present Parliament, That the aforesaid estatute and ordinance, and every thing and things therein containd, be established, confirmed, accepted, deemed, judged, and taken for a good and right law, within this King's land and dominion of Ireland, and to be as good, effectual, and of the same strength, qualitie, effect, force, and vertue, to all intents and purposes, within the said land, as the same is, or ought to be in the realm of England.

VI. And be it further enacted by authority aforesaid, That the said estatute and act made in England, and every thing therein contained, shall have relation and take effect within this land of Ireland, against all offenders contrary to the form thereof, from the twentieth day of May, the twentie eight year of the King's most noble reign.

C H A P. VIII.

An Act for First Fruits. Rot. Parl. cap. 10.

^{28 H. 8. 26.}
^{Ir.}
^{26 H. 8. 3.}
^{Eng.}
^{2 Eliz. 3.}
^{Ir.}
^{Recital of the}
^{act in En-}
^{gland, 26 H.}
^{8. 3.}

PRayeth the commons in this present Parliament assembled, That whereas at a Parliament holden upon a prorogation at Westminster, within the realm of England, the third day of November, in the twenty six year of the reign of our most dread soveraign lord, King Henry the eight, amongst other was ordayned, and enacted, That the King's highness, his heyres and successors, Kings of the realm of England, should have and enjoy from time to time, to endure for ever, of every such person or persons, which at any time after the first day of January, next ensuing the said iii. day of November, should be nominated, elected, perfected, presented, collated, or by other meanes appointed to have any archbishoprick, bishoprick, abbacy, priorie, colledge, hospital, archdeaconry, deanry, provostship, prebend, parsonage, vicarage, chauntry, free chappel, or other dignity, benefice, office, or promotion spirituall, within the said realm, or elsewhere within any the King's dominions, of what name nature or quality soever they be, or to whose foundation, patronage, or gift soever they belong, the first fruits, revenues, and profits for one year of every such archbishoprick, bishoprick, abbay, monastery, priory, colledge, hospital, archdeaconry, deanry, provostship, prebend, parsonage, vicarage, chauntry, free chappel, or other dignity, benefice, office, or promotion spiritual aforesaid, whereunto any such person and persons, shall after the first day of January be nominated, elected, perfected, presented, or by any other meanes appointed, as in the said act more at large is contained. And considering the great decay of the King's revenues within this his grace's land and dominion of Ireland, and what great, excessive and inestimable charges his highness hath been at, and sustained, and also daily sustaineth for the maintenance, tuition and defence of his grace's subjects, and for the destruction,

destruction, exile and banishing of his enemies, traditors, and rebels, within this his land and dominion of Ireland, and for such causes and considerations, as appeareth by the said act, made at Westminster, the third day of November. Be it ordeyned, enacted, and established by authority of this present Parliament, That the King our sovereign lord, his heys and successors, Kings of the said realm of England, and lords of this land and dominion of Ireland, shall have and enjoy from time to time to endure for ever, of every such person and persons, which at any time after the first day of this present Parliament, shall be nominated, elected, perfected, presented, collated, or by any other meanes appointed to have any archbishopricke, bishopricke, archdeaconry, deanry, prebend, parsonage or vicarage, within the said land and dominion of Ireland, of what name, nature, or qualitie soever they be, or to whose foundation, patronage, or gift soever they belong, the annate, commonly called within this land the (ane) first fruits, revenues and profits for one year, of every such archbishoprick, bishoprick, archdeaconry, deanry, prebend, parsonage, and vicarage aforenamed, whereunto any such person or persons shall at any time or times, after the said first day of this present Parliament, be nominated, elected, perfected, presented, collated, or by any other meanes appointed. And that every such person and persons, before any actual or real possession, or meddling with the profits of any such archbishoprick, bishopricke, archdeaconry, deanry, prebend, parsonage, or vicarage, shall satisfie, content and pay, compound, or agree to pay to the King's use, at reasonable dayes upon good fuerties, the said annate or ane, the first fruits and profits for one year.

II. Be it also enacted by authority aforesaid, That the chancellor of Ireland, the master of the rolls, and the underthesaurer for the time being, or any two of them, so as the said underthesaurer be one of the said two, or such other persons or person as shall please the King's highness, his heyres or successors, from time to time, at his or their pleasurs, to name and depute by commission or commissions, under the great seale, shall have power and authority as well to examin and search for the just and true value of the said annate, first fruites, and profites, by all ways and means that they can, as to compound and agree for the rate of the said annate, and first fruits and profits, and to stall and limit reasonable days upon payment thereof, upon good and sufficient fuerties or fuerty, by writings obligatories by their discretion, and if composition or agreement be had or made for the same annate, first fruits and profits, before the said lord chauncelor, the master of the rolls, and the underthesaurer for the time being, or any two of them, so as the said underthesaurer be one of the said two, that then the writings obligatory, or mony taken for the same, shall rest, remain, and abide in the hands of the underthesaurer, or in the hanaper of the King's chauncery in Ireland, there safely to be kept to the King's use, and the mony to be due of such writings obligatory, or to be

A. D.
1537.
Chap. 8.

Enacting part.
Archbishops, &c. to pay to the King the profits for one year, to whomsoever the foundation, patronage or gift belong.

Before actual possession or meddling with the profits, they may compound for the first fruits.

The lord chancellor, &c. may examine the true value of the first fruits, and compound for the rate, and limit reasonable days for payment thereof, upon good fuerties, by writings obligatory; which, or the money taken for the same, shall remain in the under treasurer's hands or the hanaper, and the money paid there, to be accounted for.

received

VOL. I.

B b



^{1537.}
Chap. 8. A. D. received in hand by reason of any such composition, shall be payed unto the said underthesaurer, or in the said hanaper to the clerk of the hanaper for the time being. And that the said underthesaurer for such writings obligatory and mony as cometh to his hands, or ought to come to his hands, shall make a true and a just accompt thereof. And that also the said clerk of the hanaper, for such writings and mony, as he receiveth or ought to receive, shall make a just and a true accompt thereof like as he is bound to do of the mony received of the profits of the King's great seal, and if composition or agreement be had or made for the said annat, first fruits and profits, afore any person or persons to be deputed by the King's highness, his heyres or successors, by commission under his great seale, that then the writings obligatorie, and money taken for the same, shall be delivered to the said underthesaurer, or else where to whom it please the King's highness, his heires and successors, to give authority by commission under his great seale to receive the same.

Aequittances under the hand of said treasurer, clerk of the hanaper, or other commissioners, and all such writings obligatory shall be of the same effect in Ireland, as those taken by persons appointed by the act in England.

Upon certificate into chancery of such writing obligatory, like process shall be as usual against lay persons, on statute staple.

Not more than 8d to be paid for a writing obligatory: for an acquittance 4d.

Commissioners of first fruits every 6 months to deliver by indenture to the under treasurer, &c. such

III. And it is also ordained and enacted by authority aforesaid, That every writing of acquittance, subscribed with the hand and name of the underthesaurer, clerk of the hanaper, or other commissioners aforesaid, or any of them, witnessing the receipt of the same annate, first fruites and profits, or any part thereof, and all writings obligatories to be taken for payment of the said annate, ane, first fruites and profits, by and afore the said lord chauncelor, the master of the rolles, and underthesaurer, or any two of them, as is aforesaid, or by and afore any other person or persons to be deputed to compound and agree for the said annate, ane, first fruites and profits, as is aforesaid, shall be of the same strength, force, vertue, qualitie and effect, to all intents and purpose, within this land and dominion of Ireland, as all such writings of acquittances, and writings obligatorie subscribed, and taken by and afore such person and persons, as be limited and appointed by the said act, made at Westminster the said third day of November, within the realme of England, and that upon certificat hereafter to be made into the King's chancerie of any such writing obligatorie to be taken for payment of such annate, first fruites and profits, like process and execution shall be thereupon made, and had against any person spiritual or temporal, as hath been accustomed to be made against any lay person upon certificat of writings obligatory, of the statute of the staple. And that no person shall be compelled to pay for any writing obligatorie to be made for the said payment of the said first fruites, above eight pence, nor for any acquittance to be made for any receite of such first fruites above foure pence: And such person or persons as shall be deputed by the King's highness by commission under the great seale of England and Ireland, to compound and agree for the said first fruites, shall at the end of every fixe moneths next after the date of their commission, and so from fixe moneths to fixe moneths, deliver or cause to be delivered, unto the underthesaurer of this foresaid land,

for the time being, or elsewhere, to such commissioners as shall be appointed as is aforesaid, to receive the same, aswel all such mony, as all such specialties and bandes as they shall have taken for the payment of the said first frutes, by indenture to be made between them and the said underthesaurer, or other commissioners as is aforesaid, concerning the certainty and number of the summes of money, specialties, and bandes by them taken and received; and if any person or persons, to whom any deputation shall be made by commission to compound and agree for the payment of the said first frutes, their heyres, executors, or administrators, cancele or imbeasle any of the said specialties, and bandes taken for the payment of the said first frutes, and doe not deliver them according to the tenour of this act, that then everie such offenders shall forfeit that office of deputation, and over that make fine and ransome at the King's owne pleasure and will.

A. D.
1537.
Chap. 8.

money and specialties as they receive, on pain of forfeiture of the office, fine and ransom.

IV. And be it likewise enacted by authority aforesaid, That all and every article, provision, and thing, whatsoever they be, enacted or comprised within the said act, made at Westminster the third day of November for the suretie of paiment of the said first fruits in the said realm of England, be in the same force and strength, vertue, qualitie, and effect to all intents and purposes within this land and dominion of Ireland, as they and every of them be within the said realm of England.

All the provisions in the act made in England, 26 H. 8. 3. for payment of first fruits, to be in force in Ireland.

V. Be it further enacted by authority aforesaid, That annat, first frutes, and profites of benefices, heretofore accustomed to be taken and paide by and to the executors or administrators of the incumbents of the said benefices, or to any other person or persons within this land or dominion of Ireland, shall from the said first day of this present Parliament cease and be extinct, and no longer be paid ne taken, but only to the King's highness, his heyres and successors, in such form as is above mentioned in this act.

First fruits, heretofore paid toothers, to be paid to the King only.

VI. Provided alway, and be it enacted by authority of this present Parliament, That in as much as by this present and aforesaid act our said soveraign lord the King, his heyres and successors, hath and shall have for ever among other the premises the annat and first fruits of parsonages, vicarages, and such benefices, as hath cure, that our said soveraign Lord, his heyres and successors for ever at every avoydance of any such parsonage, vicarage, or benefice, by any maner mean, of the issues and profites comming or growing of any such parsonages, vicarages, or benefices, shall provide and finde a sufficient and an able priest to serve the cure from any such avoydance, till that one be admitted and instituted to the same.

Upon avoydance the King to find a Priest to serve the cure, out of the profits, till one admitted.

A. D.

C H A P. IX.

1537.

An Act of Delahyde's Lands in Carbrie. Rot. Parl. cap. 13.

Ir 27. El. 2.
The estate
of Sir Walter
Delahide for-
feited to the
crown.

FORASMUCH as our sovereign lord the King after the death of Sir Walter Delahyde, knight, is just and rightfully intituled to have, possess, and enjoy, all the mannours, lordships, lands, tenements, and other hereditaments, whereof the said Sir Walter or any other or others to his use, was seised or possessed the first day of Aprill in the yeare of our sovereign lord the King, that now is, the xxv. in fee simple or fee taylor, to his Grace, his heyres and successors for ever, and that by reason of that wilful and disloyal traditor, James Delahyde son and heyre of the said Sir Walter, which was one and the chief counsaylours of that traditour and rebell Thomas Fitz Gerald in all his traitorous proceedings, and that it is thought, that the said Thomas Fitz Gerald and James were partly ruled and counsayled by the said Sir Walter, and Jenet Eustace then his wife, in all their traditors purposes, and in as much as diverse of the said manors, lordships, lands, tenements, and other the premisses, is in Carbrie, and situate in these places, whereby the the King's subjects thereunto adjoyning mought be the better defended, and in that, that when the said Sir Walter did take upon him the rule and governance of the said manors and other the premisses in Carbrie, by his negligence, and the love and favour that he and his servants bare to the said James Delahyde, John Delahyde, and Sir Edward Delahyde, other of the sons of the said Sir Walter, certain of the castles and piles, being builded upon the said lands, were burned, spoyled, and clearly cast down by his said sons, and other the adherents of the said Thomas Fitz Gerald, to the great unquietness and loss of the King's true subjects: and to the intent that his Grace may have all the said lands and tenements in Carbrie, whereby his Grace may have the better occasion to defend his subjects, so that the said Sir Walter shall have no meddling ne no part thereof, whereby by his negligence and favour no like inconvenience, as is afore-said, may ensue, and that in special, for that that his Grace may rightfully be intituled to the same, if he would put his lawes in execution; be it enacted, ordeyned, and established, by authority of this present Parliament, That our sovereign Lord the King, his heyres and successors for ever, from the feast of Easter, that was in the yeare of our said sovereign Lord the xxvi. shall have, hold, possess, and enjoy, all the manors, lordships, lands, tenements, and other hereditaments, with their appurtenances, whereof the said Sir Walter Delahyde, or any other, or others jointly and severally, to his use, was seised or possessed in fee simple or fee taylor the xx. day of Januarie in the xxv. yeare of our said sovereign Lord, or at any time after, in the barony of Carbrie, with all the issues and profits

Enacting
part.

The lands,
&c. vested in
the King.

fites of all the said landes and tenements and other the premisses, with their appurtenances in Carbry, from the feast of Easter afore-
said, and that his grace shall have and enjoy all the goods and cat-
tals that at any time of right did belong or appertain to the said Sir
Walter, which came to the possession of the King's underthesaurer,
and general receivor of this his land of Ireland.

A. D.

1537.

II. And for the further suretie of the said lands, and other the
premisses to which our said sovereign lord, is rightfully entituled,
immediately after the death of the said Sir Walter; Be it enacted,
ordeyned and established by authority of this present Parliament,
That our sovereign lord the king his heyres and successors for ever,
from the day of the death of the said Sir Walter Delahyde, shall
have, hold, possess and enjoy all other the manors, lordships,
lands, tenements, and other hereditaments, with their appur-
tenances, whereof the said Sir Walter Delahyde, or any other or
others joyntly or severally to his use, was seysed or possessed in fee
simple or fee taylor, the twenty day of January, in the xxv. yeare of
our said sovereign lord, or at any time after, within the land of Ire-
land. Saving to John Talbot of Dardieston and to his heirs, all
such right, title, interest, entre and possession, as he or they have
to any of the premisses.

C H A P. X.

An Act how Persons robbed shall be restored to their Goods. Rot.
Parl. cap. 15.

BE it enacted by this present Parliament, That if any felon or
felons hereafter do rob or take away any money, goods, or
cattalls, from any of the King's subjects, from their person or other-
wise, within this land of Ireland, and therefore the said felon or fe-
lons be endicted, and after arraigned of the same felonie, and found
guiltie thereof, or otherwise attainted by reason of evidence given by
the party so robbed, or owner of the said money, goods, or cattals,
or by any other by their procurement, that then the party so rob-
bed or owner, shall be restored to his said money, goods and cat-
tals, and that as well the justices of goale deliverie, as other justi-
ces before whom any such felon or felons shall be found guiltie, or
otherwise attainted by reason of evidence given by the partie so rob-
bed, or owner, or by any other by their procurement, have power
by this present act to award from time to time, writs of restitution
for the said money, goods and cattals, in like maner as though
any such felon or felons were attainted at the suit of the partie
in appeal.

The party
robbed shall,
upon indict-
ing and pro-
secuting the
felon to con-
viction, be re-
stored to his
goods by writ
of restitution
awarded by
the justice, as
if the felon
attainted in
appeal.

Ir. 3 & 4
Ph. & M. 6.
Eng. 21 H.
8. 11.

A. D.

C H A P. XI.

1537.

An Act restraining Tributes to be given to Irishmen. Rot. Parl. cap. 16.

Tribute not
to be paid to
the Irish for
defending the
King's sub-
jects.

PRAYEN the lords spiritual and temporal, and the commons in this present Parliament assembled, That whereas the King's Irish enemies have been heretofore of great force and strength, within this land of Ireland, by reason whereof they have charged divers the King's towns and faithful subjects with tributes and exactions, for consideration that the said Irishmen, which do take the said tributes should defend the King's said subjects, which they have not done, ne do not, and yet the King's said subjects at the charge to pay them the said unlawful impositions to their utter impoverishing. Wherefore and forasmuch as our sovereign lord the King, having respect to the povertie of his said poor subjects of this his land of Ireland, hath sent his armie royal hither for the exonerating of his grace's said subjects, whereby his grace's said subjects are highly animated and fortified, and the said Irish enemies greatly enfeebled, so as nothing lieth in them to do for having any such tribute. Be it therefore by authoritie of this present Parliament enacted, established, and ordained, That no manner Irish man within this land of Ireland, shall have any tribute, exaction, or any other unlawful impositions, of, or upon any the King's townes or faithful subjects within the same land, but that all and every the King's said townes and subjects, shall be clearly from henceforth for evermore acquitted, discharged, and exonerated from all and every such tributes, any letters or commandments sent to them or any of them, or hereafter to be sent contrary to this present act, in any wise notwithstanding.

C H A P. XII.

An Act against Proctors to be any Member of the Parliament. Rot. Parl. cap. 19.

Proctors
shall not be
members of
Parliament,
nor have voice
or assent, but
only be as
counsellors
and assistants.

FORASMUCH as at every Parliament begun and holden within this land, two proctors of every diocess within the same land have been used and accustomed to be summoned and warned to be at the same Parliament, which were never by the order of the law, usage, custome, or otherwise any member or parcel of the whole bodie of the Parliament, nor have had of right any voice or suffrage in the same, but onely to be there as counsaillors and assistants to the same, and upon such things of learning, as should happen in controversie to declare their opinions, much like as the convocation within the realm of England is commonly at every Parliament begun and holden by the King's highness special licence, as his Majesties judges of his said realm of England, and divers other

other substantial and learned men, having groundly enquired and examined the root and first establishment of the same, do clearly determine, and yet by reason of this sufferance, and by the continuance of time, and for that most commonly the said proctors have been made privie to such matters as within this land at any time have been to be enacted and established, and their advices desired and taken to the same, they now of their ambitious mindes and presumption inordinately desiring to have authoritie, and to intermeddle with every cause or matter without any just ground or cause reasonable to the same, doe temerariouly presume, and usurpity take upon themselves to be parcel of the body, in maner claiming that without their assents nothing can be enacted at any Parliament within this land, which, as it is thought, cometh not without the procurement and maintenance of some of their superiours, to the onely intent that the said proctors for the more part, being now their chaplaines, and of mean degree, should be the stoppe and lett that the develish abuses, and usurped authority and jurisdiction of the bishop of Rome (by some men called the Pope) nor of themselves should not come to light or knowledge, that some good and godly reformation thereof might be had and provided. Wherefore be it enacted, ordained, and established by authoritie of this present Parliament, That the said proctors ne any of them so summoned or warned to any Parliament begun or holden, or to be begun and holden within this land, is ne shall be any member ne parcel of the bodie of the same Parliament, ne shall give ne have any voice, opinion, assent, or agreement to any act, provision, or ordinance to be regarded ne enacted in any Parliament within this land, ne yet their voices, assents, or agreements or opinions, shall not be necessarie ne requisite to any such act, provision, or ordinance, but that by authoritie afore said, every act, ordinance, provision, thing or things, made, ordained, or established, or to be made, ordained, or established, at any time in any Parliament holden, or to be holden within this land, without the assent, consent, or agreement of the said proctors, or the more part of them, or contrary to the same, is and shall be good and effectual to all intents and purposes according to the tenour, purport, meaning and effect of every such act, provision or ordinance, and by the same authoritie, the said proctors ne any of them shall be accepted, reputed, deemed or taken from the first day of this present Parliament, as parcel or any member of the said Parliament, or any other Parliament hereafter to be holden within this land, but onely as counsailours and assistants to the same. Any law, usage, customes, prescription, or any other cause or matter, thing or things, whatsoever it or they be in any wise to the contrary notwithstanding.

A. D.
1537.
Chap. 12.

A. D.

C H A P. XIII.

1537.

An Act against the Authority of the Bishop of Rome. Rot. Parl. cap. 23.

The mischief attending the Pope's authority.

FORASMUCH, as notwithstanding the good and holisom lawes, ordinances, and statutes heretofore made, enacted and established by the King's highness our most gracious soveraign lord, and by the whole consent of this high court of Parliament, for the extirpation, abolition, and extinguishment out of this land, of the pretended power, and usurped authority of the bishop of Rome (by some called the Pope) used within the same, which did obfuscat and wrest God's holy word and testament a long season from the spiritual and true meaning thereof, to his worldly and carnal affection, as pompe, glorie, avarice, ambition, and tyranny, covering and shadowing the same with his humane and craftie devises, traditions, and inventions set forth under the cloke of vertue, only to promote and establish his dominion aswel both upon the soules and bodies, as also upon the temporal goods of all christian people, excluding not only Christ out of his kingdom and rule of man's soule as much as they might, but also other temporal Kings and Princes out of their dominions, which they ought to have by God's law, upon the bodies and goods of their subjects, whereby he did not only robbe the King's Majestie, being onely the supreme head of the realm of England, and of this his land of Ireland immediately under God, of his honor, right, and preheminance due unto him by the law of God, but also spoyled this his land of Ireland yearly of innumerable treasure, and besides the losses of the same, deceived the King's loving and obedient subjects, perswading to them by his lawes, bulls, and other his deceivable meanes, such dreames, vanities and fantasies, as by the same many of them were seduced and conveyed unto superstitious and erronious opinions, so that the King's Majestie, the lord's spiritual and temporal, and the commons in this his land being overwearied and fatigued with the experience of the infinit abominations, and mischief proceeding of his impostures and craftie coloured deceits, to the great damages of soules, bodies, and goods, were forced of necessity for the publique weale of this land to exclude that foreine pretended power, jurisdiction and authority used and usurped within this said land, and to devise such remedies for their reliefe in the same, as doth not onely redound to the honour of God, the high praise and advancement of the King's Majestie, and of this his land, but also to the great and inestimable utilitie of the same: which said good and holisome lawes, notwithstanding so made and heretofore established, it is come to the knowledge of the King's highness, and also to diverse and many his loving, faithfull, and obedient subjects, how that divers seditious and contentious persons,

Necessity of excluding such foreign pretended power.

fons, being impes of the said bishop of Rome, and of his see, and in heart members of his pretended monarchy, doe in covers and elsewhere, as they dare, whisper, inculce, preach, and perswade, and from time to time instil, into the eares and heads of the poore, simple, and unlearned people, the advancement and continuance of the said bishop's fained and pretended authority, pretending the same to have his ground and originall of God's law, whereby the opinions of many be suspended, their judgments corrupted and deceived, and diversitie in opinions augmented and encreased, to the great displeasure of Almighty God, the high discontentation of our said most dread soveraign Lord, and the interruption of the unitie, love, charity, concord, and agreement, that ought to be in a christian region and congregation: for avoyding whereof, and of all such seditious persons as be the meanes and authors of such inconveniences, be it enacted, ordained, and established, by the King our soveraign lord, and the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That if any person or persons, dwelling, demurring, inhabiting, or resiant within this land, of what estate, dignitie, preheminance, order, degree, or condition soever he or they be, after the first day of November which shall be in the yeare of our Lord God a thousand five hundred seven and thirty, shall by writing, cyphering, printing, preaching, or teaching, or by any deed or act, obstinately or maliciously hold or stand with to extoll, fet forth, maintain, or defend the authority, jurisdiction, or power of the bishop of Rome or of his see, heretofore claimed, used, or usurped within this land, or by any pretence obstinately or maliciously invent any thing for the extolling, advancement, setting forth, maintenance, or defence of the same, or any part thereof, or by any pretence obstinately or maliciously attribute any manner of jurisdiction, authority, or preheminance to the said see of Rome, or to any bishop of the same see for the time being, within this land, that then every such person or persons, so doing or offending, their aydors, assistants, comforters, abettors, procurers, maintainers, faulters, concealors, counsailors, and every of them, being thereof lawfully convicted according to the laws of this land, for every such default and offence shall incur and run into the dangers, penalties, pains, and forfeitures, ordained and provided by the statute of provision and premunire, made in the xvi year of the reign of the noble and valiant prince King Richard the second, against such as attempt, procure, or make provision to the see of Rome, or elsewhere, by any thing or things to the derogation or contrary to the prerogative royal, or jurisdiction of the crown and dignitie of the realm of England, the lawes, customes, and usages of this land.

II. And to the intent that this act at all times may be well and truly executed, and the offenders thereof have and receive

VOL. I.

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A. D.

1537.

Chap. 13.

Enacting
part.

To extol
or maintain
by writing or
any act, the
authority of
the bishops of
Rome hereto-
fore used in
this kingdom,
forbidden on
pain of pre-
munire, in
16 R. 2.

A. D.
1537.
Chap. 13.

Justices
of affize
and peace,
shall inquire
of offences
against this
act, as of
other offences
against the
King's peace,
and certify
every present-
ment into
B. R. in forty
days after; if
term open: if
not, the first
of the next
term after 40
days, on pain
of 40l.

condigne punishment according to their demerits; it is enacted by the authority aforesaid, That as well justices of assizes in their circuits, as justices of peace within the limits of their commission and authorities, or two of every such justiciars of peace at the least, whereof one to be of the *quorum*, shall have full power and authoritie to inquire of all offences, contempts, and transgressions, perpetrated, committed, or done, contrary to this act, in like maner and form, as they may of other offences against the King's peace, and shall certify every presentment afore them, or any of them, had or made concerning this act, or any part thereof, before the King in his bench of this land within fortie daies next after any such presentment had or made, if the term be then open, and if not, then at the first day of the term next following the said fortie daies, upon pain that every of the justices of assize or justices of peace, before whom such presentment shall be made, making default of such certificate contrary to this act, shall lose and forfeit fortie pounds to the King's highness.

The justices
of B. R. to
hear and de-
termine.

III. And it is enacted by the authoritie aforesaid, That the justices of the King's bench as well upon every such certificate as by inquire before themselves within the limits of their authorities shall have full power and authoritie to hear, ordain, and determine every such offence, done or committed contrary to this act, according to the lawes of the realm of England, and of this land, in such like maner and form to all intents and purposes as if the person or persons, against whom any presentment shall be had upon this statute, had been presented upon any matter or offence expressed in the said statute, made in the said xvi year of King Richard the second.

Inquiry to
be made at
the visitation,
of such eccle-
siastical per-
sons as offend.

who, if
found culpa-
ble, shall be
committed to
the next
goal, or else
let to bail,
on sureties to
appear before
the King and
council, &c.

IV. And it is also enacted by the authority aforesaid, That all and every archbishops, bishops, and archdeacons within this land, their commissaries, vicars general, and other their ministers, in every their visitations and seanes shall make diligent enserche, enquire, and examination, of all and every ecclesiastical and religious persons within and of their jurisdiction, which shall be suspected, accused, or deemed to be a transgressor or offender of this act; and if upon such search, enquire, and examination, any ecclesiastical or religious person shall be presented, suspected, accused, or found culpable by witness or confession of any offence contrarie to this act, and be present at the time of such presentment, examination, or accusation, that then every the archbishops, bishops, and archdeacons, their commissaries, vicars general, and other their ministers, afore or to whom any such person shall be presented, suspected, accused, or found culpable as is aforesaid, shall commit every such person so presented, accused, or found culpable, if he be presented as is aforesaid, to the next common goale of the shire, where such enquiry, examination, or accusation shall be had or made, or else by good and sufficient sureties, to be bound by obligation to the

King's

King's use, shall let everie such person to bayle by their discretions, to appear before the King and his counsaile, or his Grace's deputie of this land, in the castle of Dublin, within xv. days next after such enquiry, presentment, or accusation, if the term be then open and kept, or else in the first day of the term next following after the said enquirie, presentment, or accusation, and at the said day limited for such appearance, they shall certifie into the said castle of Dublin by writing under their seales as well the said bond, and the obligation taken for such appearance, as the presentment, examination, accusation, or conviction of every such person, and all depositions, and circumstances thereof, and the name of the goale whereunto they have committed the said person; and if any such ecclesiastical or religious person, being presented, suspected, or accused, in any seane or visitation, be not present all the time of the said seane or visitation, as is aforesaid, that then nevertheless every the said archbishops, bishops, and archdeacons, their commissaries, vicars general, and all other their ministers, afore or to whom any such presentment, suspicion, or accusation shall be had or made, shall certifie every such presentment, suspicion, or accusation, and all circumstances thereof, as is aforesaid, unto the castle of Dublin within fifteene daies next after such presentment, suspicion, or accusation, had or made, or in the first day of the terme next following after such presentment, suspicion, or accusation, in such maner and forme as is afore rehearsed: and in case any ecclesiastical or religious person, being presented, suspected, or accused of any offence done or attempted contrary to this statute, be thereof convicted by confession or witness before any archbishop, bishop, or archdeacon, or before any the commissaries, vicars general, or other their ministers in their seanes or visitations, or before the King's counsaile in the castle of Dublin, that then every such spiritual and religious person, so being convict, shall suffer such paines, penalties, and forfeitures, as be expressed in the said estatute, made in the sixteenth yeare of King Richard the second.

A. D.
1537.
Chap. 13.
On the day
of appearance
the obligati-
on, present-
ment, &c.
shall be certi-
fied into the
castle of
Dublin.

Upon con-
viction, pen-
alty as in *Stat.*
16 R. 2.

V. It is also enacted by the authority aforesaid, That if any ecclesiastical judge or visitour doe voluntarily conceale, cloake, hide, or colour any presentment, accusation, or confession, that shall be made to him concerning this statute, and do not certifie every such accusation, presentment, or confession, before the King or his deputie, and his counsaile in the castle of Dublin, in such maner and forme as is above specified in this statute; that then every such ecclesiastical judge and visitour, so wilfully offending, for every such default shall forfeit xl. li. the one halfe thereof to the King's highness, the other half to such person as will sue for the same by original writ, bill, plaint, or information, in any of the King's courts, in which suit no essoine, protection, or wager of law shall be admitted or allowed.

Penalty of
40l. upon vi-
sitor, &c. not
certifying.

A. D.
1537.
Chap. 13.

Oath of
supremacy.

VI. And for stronger defence and maintenance of this act it is ordained and enacted by authority aforesaid, That all and every ecclesiastical judge, ordinary, chancellour, commissarie, official, vicar general, and other ecclesiasticall officer and minister, of what dignitie, preheminance, or degree soever they shall be, and all and every temporal judge, justiciar, maior, bayliffe, sheriffe, undersheriffe, escheator, alderman, jurate, constable, headborough, thirdborough, borfolder, and every lay officer and minister, to be made, created, elected, or admitted into this land, of what estate, order, degree, or condition soever he shall be, from and after the said first day of November shall, before he take upon him the execution of such office, make, take, and receive, a corporall oath upon the evangelists before such person or persons, as have or shall have authority to admit him, *That he from henceforth shall utterly renounce, refuse, relinquish, and forsake the bishop of Rome, and his authority, power, and jurisdiction; and that he shall never consent ne agree, that the bishop of Rome shall practise, exercise, or have any maner of authority, jurisdiction, or power, within this land, but that he shall resist the same at all times to the uttermost of his power; and that from henceforth he shall accept, repete, and take the King's Majestie to be onely suprem head in earth of the church of England and of Ireland; and that to his cunning, wit, and uttermost of his power, and without guile, fraud, or other undue meane, he shall observe, keep, maintain, and defend the whole effects and contents of all and singular acts and statutes, made and to be made within this land in derogation, extirpation, or extinguishment of the bishop of Rome and his authority, and all other acts and statutes, made and to be made in reformation and corroboration of the King's power, or supreme head in earth of the church of England and of Ireland: and this he shall doe against all maner of persons, of what estate, dignitie, degree, or condition they be, and in no wise doe nor attempt, nor to his power suffer to be done or attempted, directly or indirectly any thing or things privily or apertly, to the let, hinderance, damage, or derogation thereof, or of any part thereof, by any maner of meanes, or for any maner of pretence; and in case any oath be made, or hath been made, by him to any person or persons in maintenance, defence, or favour of the bishop of Rome, or his authority, jurisdiction, or power, hee repete the same as vaine and adnihilate, so him help God, and all saints, and the holy evangelists.*

Persons to
take said
oath.

VII. And it is also enacted by authority aforesaid, That all and every person and persons spiritual and temporal, suing livery, restitutions, or any ousterlemaine out of the King, his heyres or successors hands, or which shall be sworn to the King, his heyres, or successors, or that shall have any office, fee, or rouse, of his most gracious gift, or of his Majesty's heyres or successors, or shall be reteyned in service with his Grace, his heyres, or successors,

cessors, shall make, take, and receive the said oath, and that also all and every religious person, at the time of his or their profession or entry into religion, and every other ecclesiasticall person at the time of his taking of orders, and all and every other person which shall be promoted or preferred to any degree of learning in any universitie within this land at the time of his promotion or preferment, and every of them shall make, take, and receive the said oath before his or their chancellor, ordinary, or their commissarie of such universitie.

A. D.
1537.
Chap. 13.

VIII. And it is also enacted by authority afore said, That if any person or persons, limited or commaunded by authority of this act to make the said oath, or commaunded by any other person or persons authorised by the King's highness commission under his great seale, previe seale or his seale ordeyned for causes ecclesiastical, to make the said oath, obstinately refuse that to doe, that then every such offence and contempt shall be high treason, and the offender, thereof being lawfully convicted, shall suffer paines of death, and other forfeitures, penalties, and losses, as is limited and accustomed in cases of high treason by any lawes or statutes of this land heretofore made.

Refusing to
take said oath
high treason.

IX. Provided alwayes, and be it enacted, That this act, ne any thing or things in the same rehearsed, mentioned, or comprised, be in any wise prejudicial, hurtfull, or derogatorie to the ceremonies, uses, and other laudable and politique ordinances for a tranquillitie, discipline, concord, devotion, unitie, and the decent order heretofore in the church of Ireland used, instituted, taken, and accepted, nor to any person or persons accordingly using the same, or any of them.

The ceremonies and
decent order
used in the
church, not
prejudiced by
this act.

X. Provided, That notwithstanding this act or any other act made for the taking away of the said bishop of Rome's usurped power, authority, preeminence, and jurisdiction, or any thing or things in the same comprised, that all and every archbishop, bishop, archdeacon, commissarie, and official, and every of them, shall and may use and exercise in the name of the King only all such canons, constitutions, ordinances, and sinodalls provincial, being already made for the direction and order of spiritual and ecclesiastical causes, which be not contrariant nor repugnant to the King's lawes, statutes, and customes of this land, nor to the damage and hurt of the King's prerogative royal, in such manner and forme as they were used and executed before the making of this act, till such time as the King's highness shall order and determin according his lawes of England, and such order and determination as shall be requisite for the same, and the same to be certified hither under the King's great seale, or otherwise ordered by Parliament.

Such canons, &c. is
not repugnant
to the laws or
the prerogative,
may be used still in
name of the
King only,
till order to
the contrary.

XI. Provided also, That this act, or any thing therein contained, be not intended, ne meant, nor shall be expounded nor interpreted, that any dispensations, licences, or confirmations for marriages, or

Dispensations, &c. before granted,
not repugnant to the
laws or the

A. D. 1537. otherwise graunted to any the King's subjects of this land, at any time before the making of this act, which were not repugnant to the lawes of God, the King's lawes, or the prerogative royal, shall be appeyred, or of any lesse value, strength, force, or effect, then they were before the making of this act.

prerogative
to be still in
force.

C H A P. XIV.

An Act for the twentieth Part. Rot. Parl. cap. 25.

Ir. 2 El. 3.
Eng. 26 H.
8. 3.

AND forasmuch as it is, and of verie dutie ought to be, the naturall inclination of all good people, like most faithfull, loving, and obedient subjects, sincerely to desire to provide not only for the publique weale of their native country, but also for the supportation, maintenance, and defence of the royall estate of their most dread, benigne, and gracious soveraign lord, upon whom and in whom dependeth all their joy and wealth, in whom also is united and knit so princely a heart and courage mixed with mercie, wisdom, and justice, and also a natural affection joyned to the same, as by the great inestimable, and benevolent arguments thereof, being most bountifully, largely, and many times shewed, ministred, and approved towards his loving and obedient subjects, hath well appeared, which requireth a like correspondence of gratitude to be considered according to their most bounden dueties: Wherefore his said humble and obedient subjects, as well the lords spiritual and temporal, as the commons in this present Parliament assembled, calling to their remembrance not onely the manifold and innumerable benefites daily administred by his highness to them all, and to the residue of all other his subjects of this land, but also how long time his Majestie hath most victoriously by his high wisdom and policie to his inestimable charges, in exhausting of his Graces treasure out of his realm of England, protected, defended and governed this his land, and maintayned his people and subjects of the same in tranquillitie, peace, unitie, quietness, and wealth, and amongst other of late time from the captivitie and bondage of that late traditor Thomas fitz Garrot and his adherents, and also considering what great, excessive, and inestimable charges his highness hath heretofore been at and sustained by the space of xxviii. yeares whole, and also daily sustayneth for the maintenance, tuition, and defence of this his land, and his loving subjects of the same, which can not be sustained and borne, without some honourable prohibition and remedie may be made, found, provided, and ordeyned for maintenance thereof, do therefore desire and most humbly pray, that for the more suerty of continuance and augmentation of his highness royal estate, being not only now recognised, as he alwayes indeed heretofore hath been, the only supreme head in earth next and immediately under God of the church of England and of Ireland, but also their most assured and

undoubted natural soveraigne, liege, lord and King, having the whole governance, tuition, defence and maintenance of this land, and his most obedient and loving subjects of the same. It may therefore be ordeyned and enacted by his Highness, and the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That the King's majestie, his heyres and successors, Kings of the realm of England, for more augmentation and maintenance of the royal estate of his imperial crown and dignity, of supreme head of the church of England and of Ireland, shall yearly have, take and enjoy, and receive united and knit to his imperial crown for ever, one yearly rent or pension, amounting to the value of the twentie part of all the revenues, rents, farmes, tithes, offerings, emoluments, and of all other profits, as well called spirituall as temporal, now appertayning or belonging, or that hereafter shall appertain or belong to any archbishoprick, bishoprick, abbacie, monastery, priory, archdeaconry, deanry, hospital, commaundery, colledge, house collegiate, prebend, cathedral church, collegiate church, conventuall church, parsonage, vicarage, chauntry, or freechapel, or other benefice or promotion spiritual, of what name, nature, or quality soever they be within any diocess of this land, the said pension or annual rent, to be yearly paid for ever to our said soveraign lord, to his heires and successors, Kings of the realm of England, at the feast of the nativite of our Lord God, and the first payment thereof to begin at the feast of the nativite of our Lord God, a thousand five hundred thirty seven, and to be paid yearly, by such as shall be appointed to have the collection thereof by this act, in such maner and forme, as shall hereafter be limited by this act, before the first day of April yearly next following after the said feast of the nativite of our Lord God.

II. And it is ordained and enacted by authority aforesaid, That the said yearly rent and pension shall be taxed, rated, levied, received, and paid to the King's use, his heyres and successors, in maner and forme hereafter to be declared by this act, that is to say, that the chancellor or keeper of the great seale of this land of Ireland for the time being, shall have power and authority to direct into every diocess in this land several commissions in the King's name, under his great seale, as well to the archbishop, or bishop of every such diocess, as to such other person or persons, as the King's highness shall name and appoint, commaunding and authorising the said commissioners for to be named in every such commission, or three of them at the least, to examine, searck, and enquire, by all the wayes, and means that they can by their discretions, of, and for the true and just, whole and entire yearly values, of all the manors, lands, tenements, hereditaments, rents, tythes, offerings, emoluments, and all other profits, as well spiritual as temporal, appertaining or belonging to any archbishoprick, bishoprick, abbacy, monastery, priory, archdeaconry, deanry, hospital, commaundry, colledge, house

A. D.
1537.
Chap. 14.
Enacting
part.

The 20th
part of the
profits of all
spiritual pro-
motions to be
paid yearly to
the King for
ever.

The chan-
cellor to di-
rect commissi-
ons to inquire
of the yearly
value of all
the said pro-
fits into every
diocese.

A. D. 1537. Chap. 14. collegiate, prebend, cathedral church, collegiate church, conventual church, parsonage, vicarage, chauntry, free chappel, or to any other benefice or promotion spiritual, within the limits of their commission, with a clause to be contained within every such commission, that the said commissioners, or three of them at the least shall deduct and allow, in making and rating of the said yearly values of the premisses, these deductions following, and none other, that is to say, the rents resolute to the chief lords, and all other annual and perpetual rents and charges, which any spiritual person or persons be the bound yearly to pay, or keep, or to give yearly in alms by reason of any foundation, ordinance, and all fees for stewards, receivers, counsaillors, bailiffs, and auditors, and finods, and proxies, with another clause to be also contained in every such commission, that the said commissioners or three of them at the least, shall certifie under their seales, at such daies as shall be limited by the said commissions into the King's exchequer of this land, as well the whole and entire value, as the deductions aforesaid of every archbishoprick, bishoprick, abbacy, monastery, priory, archdeaconry, deanry, hospital, commaundry, colledge, house collegiate, prebend, cathedral church, collegiate church, conventual church, parsonage, vicarage, chauntry, freechappel, and all other benefices, and promotions spiritual.

The commissioners to deduct rents payable to the chief lords, and all annual and perpetual rents and charges, and fees for stewards, &c.

and to certify into the exchequer the whole value and the deductions.

To take an oath for the due execution of the commission.

III. And it is ordained and enacted by authority aforesaid, That the said commissioners that shall be so appointed, or three of them at the least, shall have full power and authoritie to do, accomplish, and execute the effects and contents of their said commissions, in every behalf, and that every of the said commissioners, before they shall execute their said commission, shall receive and take a corporal oath before the lord chancellor, or keeper of the great seal, or before such other as shall be appointed by the said chauncellor or keeper of the great seale, by the King's writ of *dedimus potestatem*, that they shall diligently and truly, without favour, affection, fraud, covin, meade, dread, or corruption, do fulfil and execute, the whole effects and contents, expressed in every such commission, within the limits thereof, to their cunning, wits, and uttermost of their power.

After such certificate the 20th part shall be rated and taken by the treasurer and barons of exchequer, out of the clear yearly value.

IV. And it is ordained and enacted by authority aforesaid, That after such a certificate made by the said commissioners, the said yearly rent and pension of the twenty part shall be set, taxed, rated, and taken justly, truly and indifferently, by the thesaurer and barons of the King's exchequer of and out of the clear yearly value of the premisses, that shall be above the deductions afore mentioned, and none otherwise, and that every archbishoprick, bishoprick, abbacy, monastery, priorie, archdeaconry, deanery, hospital, commaundry, colledge, house collegiate, prebend, cathedral church, collegiate church, conventual church, parsonage, vicarage, chauntry, freechappel, or other benefice or promotion spiritual, shall be severally and

and distinctly taxed, charged, and chargeable in the proper diocess where they been, for the paiment of such portion of the said twentie part, as shall be taxed and set upon them by authoritie of this act: That is to say, every of them, by and for themselves, shall be taxed, charged, and chargeable in the proper diocess where they been, for the twentieth part of the yearly value of their possessions and profits to them belonging, wheresoever their said possessions and profits shall happen to be or lie in any part of this land, and that none of them shall be charged nor chargeable for the paiment of the other charges or portion.

V. And it is also enacted by authoritie aforesaid, that after such certificate made into the King's exchequer and tax set of the twentieth part, in form above remembered, every archbishop and bishop, now being, and that hereafter shall be charged and chargeable, to levie, collect and receive within their proper diocess, as well in places exempt as not exempt, all such sums of money, wherewith the dignities, benefices and other promotions spiritual, afore mentioned within their diocess chargeable by this act, shall be set, taxed and charged towards the paiment of the said yearly pension, and shall pay and content the said sums of money, yearly before the said first day of April, to the King's highness, his under thesaurer, or general receiver of this his land for the time being, or to any other person or persons, whom it shall please the King's highness, his heyres or successors to appoint to receive the same: and that every of the said archbishops and bishops, their executors and administrators, and the possessioners of their dignities and churches, shall stand charged and chargeable for the sure and true paiment of such summes of money, as they shall collect and receive of the said yearly rent and pension, and that the thesaurer and barons of the King's exchequer shall yearly cause process to be made by their discretions for none payment of the said pension or yearly rent, or any parcel thereof, against every archbishop and bishop of this land, that is to say, against every archbishop and bishop, for so much part and portion of the said pension and yearly rent, wherewith the dignities, benefices and other promotions spiritual afore mentioned within his dioces, shall be taxed and charged, so that every of the said archbishops and bishops shall be charged and chargeable for the rate and portion of the said yearly rent and pension, set and taxed within his own peculiar dioces, and none otherwise.

VI. And be it also enacted by authority aforesaid, that every archbishop and bishop shall have power and authority to levie, take and perceive by authority of censures of the church, or by distress or otherwise by their discretion, all such summes of money as shall be rated, taxed and set, to go out of the lands, tenements, hereditaments, profits and emoluments of any dignitie, benefice, or other place or promotion spiritual within their dioces, towards their payment of the said yearly rent or pension. And that no *replevin, prohibition,*

A. D.
1537.
Chap. 14.

Every benefice to be severally and distinctly charged in the proper diocese.

The bishop of each diocese to levy and pay said rent or pension yearly to receiver general, &c. the said bishops, their executors, &c. chargeable for said payment.

Process to go out of the exchequer yearly against the bishops for such portion thereof as they are taxed within the peculiar diocese; which the bishops may levy by censures of the church or distress.

No replevin or other writ to be sued or

A. D. 1537. *hibition*, nor *superfedeas*, upon any excommunication, nor any other writ or impediment shall be sued, allowed or obeyed, for any person or persons making default of payment of such part and portion, as they shall be rated and taxed unto by authority of this act, till such time as they have truly satisfied their said part and portion to them allotted of the said yearly rent and pension.

Chap. 14.
obeyed for a-
ny one mak-
ing default
of payment.

When a bi-
shoprick void,
the dean and
chapter, &c.
chargeable for
the execution
of this act.

VII. And it is also enacted by authority afore said, that whensoever, and as often as any of the archbishopricks or bishopricks happen to be void, that then the deane and chapter of the cathedral church, or the prior and convent or chapter, or convent of the monasterie or cathedral church, where the see of such archbishopricke or bishopricke being voyde, shall happen to be, during the time of the vacation thereof, their executors, administrators and possessioners shall be charged and chargeable, to do and cause to be done all and every thing and things, for the due execution of this act within the dioces of such archbishoprick or bishoprick as the same archbishop or bishop of the see being void should have done, according as it is limited and appointed by this act, or by any thing thereing contained.

VIII. And it is ordeyned and enacted by authority afore said, That if any summe of mony being once due by any incumbent of any of the dignities, benefices or promotions spiritual afore specified, charged to the payment of the said yearly pension and annual rent, be reasonably demanded and required any time after the said feast of the Nativity of our Lord, as other dignities, monasteries, priories, hospitalls, commaundries, colledges, churches, chauntries, or houses, by the archbishop or bishop, or such as shall be charged with the collection of any part of the said pension, or by any other their ministers, servants, or officers, to pay such portion of the said pension and yearly rent, as they shall be taxed and assessed, be not truly contented and payed unto such archbishop or bishop, or their ministers and officers, or to such other person and persons, or their ministers or servants, as shall have the charge of collection thereof every yeare yearly, at the time of such request and demand thereof, or else within fourtie dayes next after every such request at the farthest.

Deprivation
for non-pay-
ment.

By 15 C. 1.
12. instead of
deprivation
they forfeit
treble value.

That then every incumbent making such default of payment, after such default thereof certified into the King's exchequer in writing, under the seales of any archbishop or bishop, or of such as be limited and charged to the collection of the said pension by this act, shall be adjudged deprived *ipso facto* of all such dignities, benefices, pensions and promotions spiritual, as any such incumbent making such default, shall have at the time of such certificate to be made, or at any time after, so that all such dignities, benefices, pensions, and promotions spiritual, which anie incumbent making such default of payment, shall have at the time of any such certificate to be made, or at any time after, shall be cleerely voyd and destitute of incum-

bent

bent in the law, to all intents and purposes as if such incumbent making such default of payment were dead in deede.

IX. And it is ordeyned and enacted by authority aforesaid, That if any archbishop or bishop, or any other limited and charged by this act to the collection and payment of the said pension and annual rent, doe make a certificat into the King's Exchequer before the said first day of Aprill, or at any time within four and twentie dayes next after the said first day of Aprill, that they according to this act have reasonably required and demaunded any incumbent of any dignitie, benefice, or promotion spiritual, chargeable by this act to pay such part and portion of the said pension and annual rent, as they shall happen to be assessed unto, and that such incumbent, so being required, hath not payed his said part and portion according to the forme and effect of this act, that then every such archbishop and bishop, and every other person, having the charge by this act for collection and payment of the said pension and annual rent upon every such certificate, shall be discharged and acquitted for ever against the King, his heyres, and successors, of and for all such summes of money as any such incumbent, against whom such certificat shall be made, should or ought to have payed by this act; and that then in every such case the thesaurer and barons of the King's Exchequer shall devise and direct upon every such certificate such process out of the King's Exchequer against every such incumbent, against whom any such certificat shall be made, and their executors and administrators, or for insufficiency of them against the successors of every such incumbent, whereby the King's highness, his heyres and successors shall and may be truly answered, payed and contented of such portion and part, as the incumbent, against whom any such certificat shall be made, was taxed and assessed for his dignities, benefices, or promotions spiritual, chargeable by this act.

X. And it is also ordained and enacted by authoritie aforesaid, That all manner of acquittance made by the King's under thesaurer, and general receivor of this his land, or by any other such commissioners as shall be appointed, as is aforesaid, to receive the said pension or any part thereof, and subscribed with the name of the said under thesaurer and general receivor, or any other such commissioner for the payment of the said pension or annual rent, or any part thereof to any such person or persons, as be limited and charged with the collection thereof, shall be of as good strength, force, vertue, and effect to the parties having the same, as if they were made in the King's name under his great seal, and so shall be allowed, admitted, and accepted in all courts of this his land. And that the thesaurer and barons of the King's Exchequer shall by vertue and authority of this act as well admit and allow such acquittances, as all such certificates as shall be made against any incumbent for default of payment, as is above said, upon the accompt of every archbishop

A. D.
1537.
Chap. 14.

The bishop, &c. after such certificate shall be discharged of the payment, and process shall issue out of Exchequer against the incumbent, his executors and administrators, or for their insufficiency against the successors.

Acquittances by the receiver, &c. shall be as good a discharge as if under the great seal, and allowed in the Exchequer, as well as the certificates, without any bill or warrant.

A. D.
1537.
Chap. 14.

No reward
taken by offi-
cer of the Ex-
chequer for
making ac-
compt or
quietus, on
pain of fine
and forfeiture
of office.

Every in-
cumbent
charged with
a pension to
his predecess-
or may retain
the 20th part;
and he and his
sureties may
plead this act
in discharge.

On compo-
sition for the
first-fruits,
allowance
made of the
20th part of
the whole.

and bishop, and of every other person limited and charged by this act for the collection and payment of the said pension and annual rent, without any writ, bill or warrant to be sued in or for that behalf. And that no manner of officer of the King's Exchequer shall take of any archbishop or bishop, or of any other person having charge with the collection and payment of the said pension or annual rent, any manner reward or thing for making their accompt or *quietus est* in the same Exchequer, or for any manner of thing appertaining to the same, concerning the said pension and annual rent, upon pain of every officer doing contrary to this act to lose and forfeit his office, and make fine to the King at his will and pleasure.

XI. And forasmuch as every incumbent of the dignities, benefices, and promotions spiritual afore mentioned, shall be charged by this act to the payment of the twentieth part of the value of their dignities, benefices, and promotions spiritual, without any deduction or allowance of such pension or pensions, wherewith some of them be ne charged to pay to their predecessours during their lives, or to other persons to the use of such their predecessours during their lives: It is therefore ordained and enacted by authority afore said, That it shall be lawful to every incumbent charged with any such pension payable to any his predecessours, or to any to his use, to retain and keep in his hands the twentieth part of every such pension; and that every such incumbent and his sureties shall from henceforth be acquitted and discharged of the said twentieth part of every such pension by vertue and authority of this present act; any decree, ordinance, or assignment of any such ordinary, or any collateral writing or suerty made for such pension to any spiritual person or persons, or to any to their uses, for term of their lives in any wise notwithstanding; and that as well every incumbent, as such persons as stand bounden for him for payment of any such pension, shall plead this act in every of the King's courts for the clear extinguishment and discharge of the twentieth part of every such pension.

XII. And also be it enacted by authority afore said, that whensoever any person or persons from the first day of December, which shall be in the year of our Lord God a thousand five hundred thirty and seven, shall be named, perfected, collated, or by any other means appointed to have any archbishoprick, bishoprick, deanry, archdeaconry, prebend, parsonage, vicarage, or any other promotions spiritual within this land chargeable for the payment of the first fruits of the same, shall at his or their composition, agreement, or entre into specialty or specialties for the payment of the said first fruits, have allowance and deduction of the said twentieth part of the whole, out of the summe to be paid for the said first fruits, for the year wherein he or they shall be first nominated, perfected, presented, collated, or by any other means appointed to have any of the said dignities, benefices, offices, or other promotions spiritual, according

according to the just rate, taxion, and ceflement of the twentieth part of every of the faid archbifhopricks, bifhopricks, deaneries, archdeaconries, prebends, parfonages, vicarages, or any other promotions fpiritual within this land, of what name, nature, or quality foever they be, or to whose foundation, patronage, or gift foever they belong, now being enrolled, or that hereafter fhall be enrolled, in the King's exchequer, or in any other the King's court of record.

A. D.
1537.
Chap. 14.

XIII. Provided, and be it enacted by authority of this present Parliament, that all and fingular fermours and leffees of any manours, lordships, lands, tenements, tythes, or other whatfoever profits or commodities, belonging to any archbifhop, bifhop, or other prelate, or fpiritual person or persons, or body corporate or politique, whereof any first fruits or yearly pension of the twentieth part is graunted to the King our Sovereign lord in this present feflion of the faid court of Parliament, or otherwise, fhall be difcharged and not chargeable to pay to our faid fovereign Lord, of his or their proper money, cofte, or charge, for or in difcharge of the leffour or leffours, owner or owners of the fame, by reason of any covenant, bargain, bond, condition, clause of reentree, or other thing heretofore made or concluded; but that every of the faid leffours and owners, and their fucceffours, fhall be charged and chargeable to pay and fatisfie the fame of his or their proper cofte and charge to the King our fovereign lord, his heirs and fucceffors, according to the graunt thereof; any covenant, bargain, contract, bond, condition, clause of reentre, or other thing, heretofore made or concluded, to the contrary thereof in any wife notwithstanding.

The farmers or leffees of the profits of fpiritual promotions not charged with payment of first fruits or 20th part, but the leffors fhall notwithstanding any covenant, contract, &c. to the contrary.

XIV. And forasmuch as the dean, chauntour, chauncellour, thefaurer, and archdeacon, and all other the dignities and prebends of the cathedral church of Saint Patrick besides Dublin, for the time being, of their own free wills, and by their loving and obedient affent, immediately upon their admiſſion, institution, and induction to any fuch dignities or prebendary be chargeable by authority of Parliament to the payment and fatisfaction of the first fruits (that is to fay) the veray yearly value of one whole year of their faid dignities or promotion fpiritual, whatfoever it be, to the King's highnefs, his heirs, and fucceffors for ever, and alfo by authority of this present act be likewise chargeable to the paiment and fatisfaction unto the King's highnefs, his heirs and fucceffors, of the twentieth part of the yearly value of their dignities and promotion fpiritual, whatfoever it be, the annual and perpetual charges used and accustomed to be paid therein allowed, whereby and divers other their conformable acts their loving hearts towards the King's highnefs plainly and evidently may appear: and confidering that the faid cathedral church of Saint Patrick's is of our most dread fovereign Lord's most noble progenitors foundation, and that fithence the first foundation thereof by the wifedom and pollecie of the dean of the faid church and his brethren, for the time being,

The dean, &c. of St Patrick's difcharged from going or sending to any hosting, &c. and if amerced for default thereof, the sheriff, &c. diftraining for the fame fhall forfeit 10l.

A. D. 1537. have been kept, maintained, and supported according to the establishment of the same, as well by the daily continuance and keeping of God's divine service, and other laudable usages and customs established upon the foundation thereof, as also by the daily and continual residence and keeping of hospitality of the said dean and others having the dignities of the said church, to the pleasure of Almighty God, the honour of our most dread sovereign Lord, and the comfort, relief, and supportation of divers the King's true and needful subjects. And to the intent that the deane and other his brethren, having the dignities and prebends of the said cathedral church, being in maner the only lanterne and light of any godly and ecclesiastical rule or order within this land, should not be so exacted or charged, through which the said divine service, and other laudable usages and customes, and keeping of hospitalities, might be decreased or in any part diminished, but rather should be so encouraged, that they and every of them from time to time to the uttermost of their power, wit, and cunning, should continue, encrease, and augment the same, according to the establishment of their first foundation, to the pleasure of Almighty God, the honour and prosperitie of our most dread sovereign Lord, his heyres, and successors, and the quietness, tranquillitie, and publique common weale of this land: be it enacted, ordeyned, and established, by authority of this present Parliament, that the deane, chauntour, thesaurer, and archdeacon of the said cathedral church of Saint Patrick's, and every other person and persons, having any dignities, prebend, or any other promotion spiritual within the said cathedral church of Saint Patrick's for the time being, shall be quite and discharged to goe or send to any hosting, rood, vyage, or journey, at any time to be had or assigned within this land, for or in consideration of their said dignities, prebends, or promotions spiritual within the said cathedral church, whatsoever it be, so that they, ne none of them, for not going or sending to any such hosting, vyage, roode, or journey, shall not be amerced or otherwise assessed in any penaltie or summes of money; and if they or any of them be amerced or assessed contrary to the tenour of this act, and that the King's sheriffe or any other person or persons will distraine for the same, that then by authority aforesaid every such sherife by writ, commandement, or otherwise, and person or persons taking any such distres, shall forfeit for every such time x. li. the one half thereof to our sovereign lord the King, and the other halfe to the partie grieved, that will sue for the same by action of debt, bill, plaint, information, or otherwise, wherein no essoine, protection, ne wager of law shall be admitted or allowed.

XV. And forasmuch as the purport and meaning of this act is, whensoever any person or persons is or be chargeable at his or their admission to any promotion spiritual to the payment of the first fruits to the King's higness, that upon the composition for the payment of the said first fruits, the said twentieth part, to be
 I
 payed

payed to the King's highness by authority of this act, should be allowed in the same: and for that, that Edward Bassett, now deane of the said cathedral church, for this yeare, to be ended after the feast of Easter next ensuing, hath compounded for the first fruits, that is to say, the yearely value of the said deanry, for one whole yeare, ending after the said feast of Easter, having none allowance, ne deduction of the twentieth part of the yearely revenue or profite of the said deanry, to be due to our soveraign lord the King, at the feast of the Nativitie of our Lord, which shall be in the yeare of our Lord God a thousand five hundred thirtie and seven, being in the said year for which he compounded for the said first yeare's fruits; be it provided and also enacted, that this present act, or any thing therein contained, for the payment of the said twentieth part, shall not extend in any wise to charge the said Sir Edward, now deane of the said cathedral church, for the payment of the said twentieth part of the yearely profite or revenue of the said deanry, till the feast of the Nativitie of our Lord, which shall be in the yeare of our Lord God a thousand five hundred thirtie and eight; this act, or any thing therein containd or mentioned, in any wise notwithstanding.

A. D.
1537.
Chap. 14.

XVI. Provided, and also be it enacted by authority aforesaid, That the lord priour of saint John's Jerusalem in Ireland, and his successours, from time to time shall be charged and chargeable with the gathering, levyng, receiving, and paying of the twentieth part, to be due to the King's highness by authority of this act, in and of the priorie of saint John's Jerusalem in Ireland, and the commaundries of the same religion, in like maner, form, condition, qualitie, and degree, as any archbishop or bishop of this land, within his dioces, is charged and chargeable, by authority of this act, for the collecting, receiving, and paying of the twentieth part, likewise to be due unto his Highness, of any spiritual promotion, within any such archbishop's or bishop's dioces.

XVII. And that no archbishop ne bishop shall be charged or chargeable for the collection, receiving, payment or satisfaction of the same, or any parcel thereof; be it provided and also enacted, That the clergie shall have two dayes of payment for the twentieth part aforesaid, that is to say, the moytie of the same, to be payed at the feast of Easter next ensuing, and the other moytie at the feast of St. Michael the archangel, by even portions, and so to continue from year to year, perpetually to endure.

Easter and
Michaelmas
the two days
of payment of
the 20th part.
2 G. 1. 15.
Letters pa-
tent of Q.
Anne, grant-
ing the same,
confirmed.

C H A P. XV.

An Act for the English Order, Habite, and Language. Rot. Parl.
cap. 26.

THE King's majestie, our most gracious and most redoubted
soveraign lord, prepending and waying by his great wisdom,
learning, and experience, how much it doth more conferre to the

The Irish
habit and ap-
parel prohi-
bited, on pain
of forfeiting
it.

A. D. 1537. Chap. 15. induction of rude and ignorant people to the knowledge of Almighty God, and of the good and vertuous obedience, which by his most holy precepts and commandements, they owe to their princes and superiours, then a good instruction in his most blessed laws, with a conformitie, concordance, and familiarity in language, tongue, in maners, order, and apparel, with them that be civil people, and doe profess and knowledge Christ's religion, and civil and politique orders, lawes and directions, as his Grace's subjects of this part of this his land of Ireland, that is called the English pale, doth; and most graciously considering therewith upon the great love, zeale, and desire, which his most excellent Majestie hath to the advancement of the state of this his sayde land, and to the conveyance and trayning of his people of the same to an honest christian civilitie and obedience, whom his Highness tendreth as his members of this politique body, whereof immediately under God, he is supream head and governour, that there is againe nothing which doth more conteyne and keep many of his subjects of this his said land, in a certaine savage and wilde kind and maner of living, then the diversitie that is betwixt them in tongue, language, order, and habite, which by the eye deceiveth the multitude, and perswadeth unto them, that they should be as it were of sundry sorts, or rather of sundry countries, where indeed they be wholly together one bodie, whereof his highness is the onely head under God, as it is aforesaid, of his most noble and princely disposition, and fervent zeale, which his Highness hath and beareth to the advancement of the state of this his land, for a certain direction and order to be had, that all we his said subjects thereof, might the better know God, and do that thing that might in time be and redound to our owne wealth, quiet, and commoditie, doth not onely desire that all such good lawes, as by wise, godly and prudent princes, his most noble progenitors, have been heretofore made for the use of the English tongue, habite and order, within this his said land, may be put in due execution, but also that the same may be so established, and in this present Parliament brought to such a perfection, that the said English tongue, habite and order, may be from henceforth continually (and without ceasing or returning at any time to Irish habite or language) used by all men that will knowledge themselves according to their duties of allegiance, to be his Highness true and faithfull subjects, his Majestie doth hereby intimate unto all his said subjects of this land, of all degrees, that whosoever shall, for any respect, at any time, decline from the order and purpose of this law, touching the increase of the English tongue, habite, and order, or shall suffer any within his family or rule to use the Irish habite, or not to use themselves to the English tongue, his Majestie will repute them in his most noble heart as persons that esteeme not his most dread lawes and commandements, but whatsoever they shall at other times pretend in words and countenance, to be persons
of

of another fort and inclination then becommeth the true and faithful subjects ; wherefore be it enacted, ordeyned, and established by authority of this present Parliament, That no person ne persons, the King's subjects within this land being, or hereafter to be, from and after the first day of May, which shall be in the yeare of our Lord God a thousand five hundred thirtie nine, shall be shorn, or shaven above the eares, or use the wearing of haire upon their heads, like unto long lockes, called glibbes, or have or use any haire growing on their upper lippes, called or named a crom-meal, or use or weare any shirt, smock, kerchor, bendel, necker-chour, mocket, or linnen cappe, coloured, or dyed with saffron, ne yet use, or wear in any their shirts or smockes above seven yards of cloth, to be measured according to the King's standard, and that also no woman use or weare any kyrtell, or cote tucked up, or imbroydred or garnished with filke, or couched ne layd with usker, after the Irish fashion ; and that no person or persons, of what estate, condition, or degree they be, shall use or weare any mantles, cote or hood made after the Irish fashion ; and if any person or persons use or weare any shirt, smock, cote, hood, mantle, kircher, bendell, neckerchor, mocket, or linnen cap, contrary to the forme above recited, that then every person so offending, shall forfeit the thing so used or worne, and that it shall be lawfull to every the King's true subjects, to seize the same, and further, the offender in any of the premisses, shall forfeit for every time so wearing the same against the forme aforesaid, such penalties and summes of mony, as hereafter by this present act is limited and appointed.

A. D.
1537.
Chap. 15.
Enacting
part.

II. Provided alway, That this act, ne any thing therein containned, be prejudicial to any woman or any herdes, horse boyes, for the using or wearing of any mantle, ne shall extend to be hurtfull to any person or persons, for or by reason of wearing of any mantles, during such time as he or they shall be in going, riding, or abiding in any hostings, jorney or rode, or reising out upon a cry, but that they, and every of them, shall and may liberally and freely use and weare at their pleasures their mantles, during such hostings, jorneys or rodes, or reising out ; any thing in this act before to the contrary mentioned or declared notwithstanding.

III. And be it enacted by authority aforesaid, That every person or persons, the King's true subjects, inhabiting this land of Ireland, of what estate, condition or degree he or they be, or shall be, to the uttermost of their power, cunning, and knowledge, shall use and speake commonly the English tongue and language, and that every such person and persons, having childe or children, shall endeavour themselfe to cause and procure his said childe and children to use and speak the English tongue and language, and according to his or their abilitie, cunning, and power, shall bring up and keep his said childe and children in such places, where they shall or

The English
tongue to be
commonly
spoken, and
taught to
children.

A. D. may have occasion to learn the English tongue, language, order and condition.

1537.

Chap. 15.

Household-
ers to live af-
ter the Eng-
lish manner.

Offenders
to forfeit cer-
tain sums pro-
portionable to
their degree.

IV. And further, be it enacted by authority aforesaid, That every the said person and persons having or keeping any house or household, shall, to their power, knowledge, and abilitie, use and keepe their houses and households, as neere as ever they can, according to the English order, condition, and maner, upon pain of forfeiture to every lord spiritual and temporal that shall offend in the premisses, or any parcel thereof, as often as he shall so offend, the summe of vi. li. xiii. s. iiii. d. and upon pain of forfeiture to every knight and esquire that shall offend in the premisses, or any parcell thereof, as often as he shall so offend, xl. s. and upon pain of forfeiture to every gentleman or merchant that shall fortune to offend in the premisses, or any part thereof, as often as hee shall so offend, twentie shillings; and upon pain of forfeiture to every freeholder and yeoman, that shall offend in the premisses, or any parcel thereof, as often as he shall so offend, ten shillings; and upon pain of forfeiture to every husbandman that shall offend in the premisses, or any parcel thereof, as often as he so offendeth, vi. s. viii. d. and upon pain of forfeiture to every other the King's subjects within this land, whatsoever he that shall offend in the premisses, or any part thereof, as often as he shall so offend, iii. s. iiii. d. the one halfe of the which forfeitures to be to our soveraign lord the King, his heys and successors, and the other halfe of the same to the partie that will sue for the recoverie thereof, by action of debt, bill, plaint, information, or otherwise, in any of the King's courts, wherein no essoine, protection, ne wage of law shall be admitted or allowed.

Justices, &c.
to assist per-
sons seising.

V. And be it further enacted by authority aforesaid, That every justice of peace, sherife, mayor, suffraigne, and portrieve, and every other head officer of any citie, borough or town, constables, and keepers of castles or garrisons within this land, within their limits, authority, and jurisdictions, shall, from the said first day of May, ayde and assist any such person so seising such said Irish garment or apparel, used or worne against the forme of this estatute, and also shall take and seise the said garment, if no other person do seise such garment, so used or worne contrary to the said estatute, and the same garment so seised and taken, to have to his or their proper use; and every other person and persons, the King's true subjects, at all times requisite, shall ayde, maintaine, support, and assist every of the said seisors; and every of the said justices of peace, sherifes, mayores, suffraignes, portriffes, and every other head officer of cities or borough townes, constables, or keepers of castles and garrisons, in due and full execution of the same.

Penalty 5l.
fine and im-
prisonment,
for taking any

VI. Be it further enacted by authority aforesaid, That if any person or persons, whose garment or Irish habite, is seised or taken, by force of this present act, doe make or procure, or goe about to take

take any distrefs or pledge, or any other recompence for the fame, of any fuch perfon or perfons that fo did feife or take the fame, or of any other their fervants or friends, or any other the King's subjects for the caufe aforefaid, fhall forfeit for every fuch time fo offending five pounds; the one half thereof to our fovereign lord the King, and the other part to him that will fue for the recovery thereof by action of debt, bill, plaint, information, or otherwise, in any of the King's courts, wherein no effoine, protection, ne wager of law fhall be admitted ne allowed: and over that it fhall be lawfull to the iuftices of peace, and every other the King's officers and fubjects, to take all and every fuch perfon fo offending, and him to commit to the next prifon or gaole, there to remaine till the next general feflions within the faid countie to be kept; and further unto fuch time as he be delivered by the iuftices fitting in the faid feflions upon fuch reasonable fines, as by them or any two of them fhall be thought convenient.

VII. And further be it enacted by authority aforefaid, That if any archdeaconrie, deanry, provoftfhip, prebend, parfonage, vicarage, or chauntry, or any other dignity, benefice, office, or promotion fpiritual within this land of Ireland, under the King our fovereign lord's obedience, tuition, and governance; leviabie or chargeable with payments of the firft fruits to the King's highnefs, doe at any time after the faid firft day of May, which fhall be in the yeare of our Lord God a thoufand five hundred thirty nine, happen or become voyde, that then every perfon and perfons, and bodies politique, the King's true fubjects, and under his rule and governance, having authority, power, right, intereft, and title to nominate, elect, prefent, collate, or give any fuch archdeaconry, deanry, provoftfhip, prebend, parfonage, vicarage, or chauntry, or other fuch dignitie, benefice, office, or promotion fpiritual, fhall nominate, elect, prefent, collate, or give, as the title fhall require, the fame archdeaconry, deanry, provoftfhip, prebend, parfonage, vicarage, chauntry, or other dignity, benefice, office, and promotion fpiritual fo happening voyde, to fuch perfon or perfons as can fpeake Englifh, and to none other perfon ne perfons, unlefs there be no perfon ne perfons, which can fpeak Englifh, that will accept and take the fame; and if fuch perfon or perfons, or bodies politique, having right, title, and intereft to nominate, elect, collate, prefent, or give any fuch archdeaconry, deanry, provoftfhip, prebend, parfonage, vicarage, chauntry, or other dignitie, benefice, office, or promotion fpiritual, as is aforefaid, upon convenient fearch and enquirie by him or them made, cannot within three moneths after fuch archdeaconry, deanry, provoftfhip, prebend, parfonage, vicarage, chauntry, or other dignity, benefice, office, or promotion fpiritual, fhall fo happen to come and be voyde, have ne get any fuch perfon, that can fpeak Englifh, to accept and take fuch archdeaconry, deanry, provoftfhip, prebend, parfonage, vicarage, chauntry, or other dignitie, benefice, office, or promotion fpiritual,

A. D.

1537.

Chap. 15.

distrefs, &c.
of the perfon
feifing.

Spiritual
promotions to
be given only
to fuch as can
fpeak Englifh,
unlefs, after
four procla-
mations in
the next mar-
ket-town,
fuch cannot
be had.

A. D. 1537. Chap. 15. so being voyde, then such person and persons, to whom the right, title, and interest of nomination, election, collation, presentation, or giving of such archdeaconry, deanry, and other dignitie, benefice, office, or promotion spiritual aforefaid, shall appertain or belong, shall make or cause to be made four solemn proclamations, openly to be proclaymed at foure several market days holden in the next market towne adjoining to the church, chappel, or place, where such dignity, benefice, office, or promotion spiritual is then voyde, that if any person or persons, which can speak English, apt and convenient to accept, occupie, and use the same dignity, benefice, office, or promotion spiritual, so then being voyd, will come and repayre unto him or them to whom the right, title, and interest of nomination, election, presentation, collation, or gift of such dignity, benefice, office, or promotion spiritual shall appertaine or belong, and will take and occupie the same dignity, benefice, office, or promotion spiritual, shall have the nomination, election, presentation, collation, or gift of the same, as the case and matter therein shall require; and if no person ne persons, which can speak English as is aforefaid, will or doe repaire or come to him or them, that hath the right, title, and interest of nomination, election, presentation, collation, or gift of such dignity, benefice, office, or promotion spiritual, then being voyde, within five weeks after the first of the same proclamations in forme aforefaid made to take and receive the presentation, collation, nomination, election, or gift of the said dignity, benefice, office, or promotion spiritual, so then being voyde, then it shall be lawfull to every such person and persons, having right, title, or interest to the nomination, election, collation, presentation, or gift of such dignity, benefice, office, or promotion spiritual, then being voyde, to present, collate, nominate, elect, or give the same dignitie, benefice, office, or promotion spiritual, to any honest, sufficient, able person, albeit such person cannot speak English; any thing in this act to the contrary mentioned notwithstanding. And if any person or persons, having right, title, interest, or lawfull authority to nominate, collate, present, elect, or give any such dignity, benefice, office, or promotion spiritual, do hereafter nominate, collate, elect, present, or give any such dignity, benefice, office, or promotion spiritual, so being voyde, to any person or persons, which cannot speak English, contrary to the form and manner afore recited, being thereof lawfully convicted according to the due process of the King's laws upon any enquiry or presentment before any of the King's judges, that then the same collation, nomination, election, presentation, and gift, and the admission and institution of such person, shall be voyde, and then it shall be lawfull to the King our soveraign lord, his heyres and successors, to collate, elect, nominate, present, and give the same dignity, benefice, office, or promotion spiritual, to any person or persons, that can speake English, and to none other; and if the King's highness, his heyres and successors,

Collation,
&c. contrary
to this act,
void.

cessors, upon such presentation, collation, nomination, election and gift, be interrupted, or disturbed, then he shall have his writ of *quare impedit*, against such disturber, and recover the presentation thereof for that time, in like forme as his grace should have done for any other presentation of his own patronage, and if the King's highness, his heyres and successors, present any person by virtue of this act, which cannot speake English, that then the same gift be voyde, and the patron's former gift to stand in his first force, any thing in this act to the contrarie notwithstanding.

A. D.
1537.
Chap. 15.

VIII. Provided alway that such presentation, collation, nomination or gift, so to be made by the King's highness, his heyres and successors, shall not in any wise be prejudicial, hurtfull, or impairment to him or them, that at time of such presentment had right, title or interest to the same, but that they and every of them shall and may, when such dignitie, benefice, office, or promotion spiritual, shall next become voyde, present, collate, elect, nominate, or give the same as though no such nomination, collation, or presentment had been had by the King's highness, his heyres and successors, any thing in this act to the contrary notwithstanding.

K. may collate, &c. but not to prejudice the rightful patron on the next avoidance.

IX. And further be it enacted by authority aforesaid, That every archbishop, bishop, suffragan, and every other having authority and power to give order of priesthood, deacon, and subdeacon, shall at such time as they or any of them doe give to any person or persons, any of the said orders of priesthood, deacon, or subdeacon, give unto every person taking any of the said orders of priesthood, deacon, or subdeacon, a corporal oath that he or they so taking order as is aforesaid shall to the uttermost of his power, wit, and cunning, endeavour himselfe to learne the English tongue and language, and use English order and fashions, if he may learne and attaine the same by possibility, in such place and places, where his cure or dwelling shall be; and further, shall endeavour himself to move, endoctrine, and teach all other being under his order, rule and governance, to accomplish and performe the same, and that also every such archbishop, bishop, suffragan, archdeacon, commissarie, and other having power and authority, to admit, install, collate, institute or induct, any person or persons, to any dignity, benefice, office or promotion spiritual, as is aforesaid, shall at the time of the admission, institution, installation, collation and induction of such person and persons, to any dignity, benefice, office, or promotion spiritual, give unto the said person and persons, so admitted, instituted, installed collated, or inducted, a corporal oath, that he and they so being admitted, instituted, installed, collated, or inducted, shall to his wit and cunning, endeavour himself to learne, instruct, and teach the English tongue, to all and everie being under his rule, cure, order, or governance, and in likewise shall bid the beades in the English tongue, and preach the word of God in English, if he can preach, and also for his own part shall use and exercise the English order and

Oath to be given to such as take orders, that he will endeavour to learn and teach the English language, and that a school shall for that purpose be kept in his parish, &c. taking the customary stipend.

1537.
Chap. 15. A. D. habite, and also provoke as many as he may to the same, and also shall keepe, or cause to be kept within the place, territorie, or paroch where he shall have preeminence, rule, benefice or promotion, a schole for to learne English, if any children of his paroch come to him to learne the same, taking for the keeping of the same schole, such convenient stipend or salarie, as in the said land is accustomedly used to be taken. And if any archbishop, bishop, suffragan or other, having authority to give orders as is aforesaid, or having authority or power to collate, institute, admit, install, or induct any person or persons to any dignitie, benefice, office, or promotion spiritual, as is aforesaid, or any of them, doe give orders to any person or persons, without giving the oath aforesaid, or doe in any wise admit, collate, institute, install or induct, any person or persons to any dignitie, benefice, office, or promotion spiritual, without giving to such person or persons so collated, admitted, instituted, installed, or inducted, such corporall oath as is aforesaid, that then every such archbishop, bishop, suffragan, ordinarie, and other having power and authority to give orders, as is aforesaid, or to collate, admit, institute, install, or induct any person or persons, to any dignitie, benefice, office, or promotion spiritual, as is aforesaid, shall forfeit for every time offending against this statute iii. li. vi. s. viii. d. the one moietie to our sovereign lord the King, the other moietie to that person or persons, that will sue for the same as is aforesaid.

Said oath to
be given on
pain of
3l. 6s. 8d.

And to be
observed on
pain of 6s.
and 8d. for
the first
offence: 20s.
for the second
and the bene-
fice to be void
on the third.

X. And further be it ordeyned, established and enacted by authority aforesaid, That if any person or persons, being promoted, collated, instituted, installed, or inducted in any dignitie, benefice, office, or promotion spiritual, doe not observe, performe, and fulfill, the tenour, purport, and effect of the said oath, that then such person or persons upon condemnation thereof by due proces of the law, had as is aforesaid, shall forfeit for the first time vi. s. viii. d. and if such person and persons, be eftsoones lawfully condemned for like offence, then he shall forfeit xx.s. and if the third time he be lawfully condemned for like offence, then such dignitie, benefice, office, or promotion spiritual, which such person or persons have, where such offence is committed, shall be taken, deemed, and adjudged to be voyde, and that it shall be lawful to him or them to whom the right, title, or interest of nomination, collation, presentation, election, or gift thereof shall appertayne, to nominate, collate, present, elect, or give the same to any other sufficient and able person or persons in like manner and form, as though the incumbent had died, any thing or things, by him afore then done notwithstanding.

XI. Provided and be it enacted by authority aforesaid, That this act in any wise extend not or be prejudicial to any person or persons, which hereafter shall be beneficed within this land, being bound to keepe residence, in any metropolitan, cathedral, or collegiate church, neyther to any person or persons so beneficed, which shall be at study

in

in any universitie, eyther being in the King's service, or otherwise out of the land by the King's commandement, but that such paroch priest or priests, which shall have the service of any paroch church under him or them, shall during their absence teach the English tongue, and keep a schole according to the form of this act, upon pain of forfeiture to every such paroch priest of xx. s. for every yeare that he shall omit the same. Provided also that this act shall take no effect ne execution, untill it be openly proclaymed in due forme.

A. D.

1537.

C H A P. XVI.

An Act for the Suppression of Abbeys. Rot. Parl. cap. 27.

MOST humbly desire the King's highness, his humble subjects, that it may be enacted by authority of this present Parliament, That his Majesty shall have and enjoy to him and to his heires for ever, the monasteries and religious houses of the Bectif, Saint Peters, besides Trim, Duske, Duleke, Holmepatricke, Baltinglas, Grane, Taghmolin, Dunbrodie, Tenterne, the priorie of Ballibogane, and the abbey of the Hogges and Fernes, and in like manner shall have and enjoy all the sites and circuits of every such religious house, and all and singular the manours, granges, and meases, lands, tenements, reversions, rents, services, tithes, pensions, portions, churches, chappels, advowsons, parsonages, annuities, rights, interests, conditions, and other hereditaments, appertayning or belonging to every of the said monasteries, or religious houses, in as ample and large maner as the abbots, priors, abbesses, prioresses, or other governors of the said monasteries and religious houses, at any time within the whole yeare next before the making of this act, had, ought, or might, or have had, possessed, and enjoyed in the right of their said houses, and also that his Highness shall have to him and to his heyres, all and singular such monasteries and religious houses, not being already by his grace given to any person or persons, by letters patents, which at any time within two yeares next before the making of this act, hath been given to his Majestie by any abbot, prior, abbess or prioress, under their covent seales, or by any other meane, or that otherwise hath beene suppressed or dissolved, and all and singular the manors, lands, tenements, rents, services, reversions, tyethes, pensions, portions, churches, chappels, advowsons, patronages, rights, interests, conditions, and other interests and hereditaments, to the same monasteries, or religious houses, or to any of them belonging or appertayning, which before the making of this act, his Highness hath not given and graunted to any person or persons, by his letters patents as is aforesaid, to have and to hold all and singular the premisses, with all their rights, profites, jurisdictions, and commodities, unto the King's majestie, and to his heyres and successors for ever knit and united to the imperial crowne of England, to doe and use

27 H. 8. 28. Eng.

Several monasteries and religious houses vested in the King in as ample manner as the abbots, &c. within a year enjoyed them.

33 H. 8. 5.

A. D. therewith his or their owne wills, to the pleasure of Almighty God,
 1537. and to the honour and profite of this land.

Chap. 16.

The King's
 patentee shall
 enjoy accord-
 ing to the te-
 nor of their
 letters patent,
 and have like
 remedies as
 the abbots,
 &c. might
 have had.

II. And it is ordeyned and enacted by authority aforesaid, That all
 and every person and persons, and bodies politique, which now have, or
 hereafter shall have any letters patents of the King's highness, of any the
 sites, circuits, manours, lands, tenements, rents, reversions, services,
 tyethes, pensions, portions, churches, chappels, advowsons, patron-
 ages, tyethes, interests, conditions, interests and other hereditaments,
 which appertayneth to any monasteries, abbeyes, priories, or reli-
 gious houses heretofore given or granted to the King's highness, or
 otherwise suppressed or dissolved, or which appertain to any of the
 said monasteries or religious houses, that is or shall be suppressed or
 dissolved by authority of this present act, shall have and enjoy the
 said sites, circuits, mannors, lands, tenements, rents, reversions,
 services, tyths, pensions, portions, churches, chappels, advowsons
 patronages, tyths, interests, and all other hereditaments, contained
 and specified in their letters patents, now being thereof made and to
 be contained and expressed in any letters patents hereafter to be
 made according to the tenors, purports, and effects of every such
 letters patents. And shall also have all such actions, suits, entries,
 and remedies, to all intents and purposes, for any thing and things
 contained in any such letters patents, now made, or to be contained
 in any such letters patents hereafter to be made in like manner, form
 and condition, as the abbots, priors, abbesses, prioresses, and chief
 governors of every religious house, which had the same, might or
 ought to have had, if they had not been suppressed nor dissolved.
 Saving to every person and persons, and bodies politique, their
 heirs and successors: other then the abbots, priors, abbesses, prior-
 esses, and chief governors of the said religious houses, specified in
 this act, and the convents of the same and their successors, and such
 as pretended to be founders, patrons, or donors to the said mona-
 steries or religious houses, or of any lands, tenements, or heredita-
 ments belonging to the same, or their heirs and successors, all such
 right, title, interest, possession, leases of years, rents, services, an-
 nuities, commons, fees, offices, liveries and livings, pensions, por-
 tions, corrodiess, synods, proxies, and all other profits, as they or any
 of them have, ought or might have had, in or to any of the said mo-
 nasteries or religious houses, or in or by any mannors, lands, tene-
 ments, rents, reversions, services, tiths, pensions, portions, and
 other hereditaments appertaining or belonging, or that appertaineth
 to any of the said monasteries or religious houses, as if the said mona-
 steries or religious houses had not been suppressed by this act or by
 any other mean, but had continued in their essential bodies and
 estates, that they now be or were in.

Saving the
 rights of o-
 thers, except
 the abbots,
 &c.

III. Provided always and be it enacted, That forasmuch as diverse
 the chief governours of the said religious houses, determining the
 utter spoiling and destruction of their houses, and dreading the sup-
 pression

pression thereof, for the maintenance of their detestable lives have lately fraudulently and craftely made feoffments, gifts, estates, graunts, and leases under their convent seals, or suffered recoveries of their manors, lands, tenements, and hereditaments, in fee simple, fee tail, for term of life or lives, or for years, or chargeth the same with rent or corodies, to the great decay and dismynyshe of their houses; that all such craftie and fraudulent recoveries, feoffments, gifts, estates, graunts, and leases, and every of them, made by any of the said chief governours of the said religious houses under convent seals within two years next before the making hereof, shall be utterly void and of none effect.

III. And it is also enacted by authority aforesaid, That the King's highness shall have and enjoy to his own proper use all such ornaments, jewels, goods, cattails, and debts, which appertaineth or belongeth to any of the chief governours of the said monasteries or religious houses in the right of the said monasteries or religious houses at the first day of June in the year of our Lord God one thousand five hundred thirty six, or any time sithence, not given ne granted by the King's Majesty at any time before the making of this act to any person or persons by his letters patents, wheresoever and to whosoever possession they shall come or be found, except onely such beasts, grain, and woods, and such other like cattle and revenues, as hath been sold in the said first day of June or sithence for the necessary and reasonable expences or charges of any of the said monasteries and houses. And in consideration of which premisses, to be had to his Highness and to his heyres as is aforesaid, his Majesty is pleased and contented of his most excellent charity to provide to every chief head and governour of every such religious house, during their lives, such yearly pension or benefices as to their degree and qualities shall be reasonable and convenient, wherein his Highness will have most tender respect to such of the said chief governours, as well and truly conserve and keep the goods and ornaments of their houses to the use of his Grace, without spoil, waste, or embefilling of the same: and for the due fulfilling and accomplishing of the same his Highness doth ordain and depute his trustie and right well beloved counsailors, his Grace's deputy, chancelour, thesaurer, underthesaurer, chief justices of the King's bench and Common place, and chief baron of his Grace's Exchequer, of this his land for the time being, or any six, five, four, three, or two of them, at the least, so that the said underthesaurer be one, to assigne and depute to such chief governour the certainty of such pension or other living: and that any such pension or living, so to be limited or given to any the said chief governours, shall be as good and effectual to all intents and purposes, as though the King's highness had given the same under his letters patents: and that none of the said chief governours shall pay any thing in the hanaper for the enfealing of any such pensions to be limited, as is aforesaid: and also his Majesty will ordain and provide, that the convents of every such

A. D.
1537.
Chap. 16.
Feoffments,
&c. within 2
years, void.

All orna-
ments, jewels,
&c. given to
the King.

A yearly
pension for
life to every
chief head.

A. D. religious house shall have their capacities, if they will, to live honestly or vertuously abroad, and some convenient charity disposed to them towards their living, or else shall be committed to such honourable great monasteries of this land, wherein good religion is observed, as shall be limited by his Highness, or his Grace's said counsailors, or any six, five, four, three or two at the least, there to live religiously during their lives.

1537.
Chap. 16.

IV. And it is ordained by authority aforesaid, That the chief governours and convents of such great monasteries shall take and accept into their houses from time to time such number of persons of the said convents, as shall be assigned and appointed by the King's highness, or his said counsailors, or any six, five, four, three, or two of them at the least, and keep them religiouslie during their lives within the said monasteries, in like manner and form as the convents of such great monasteries be ordered and kept.

All their
just debts to
be paid by the
King.

V. And also the King's majesty is pleased, that it be enacted by authority aforesaid, That his Highness shall satisfie, content, and pay all and singular such just and true debts, which been owing to any person or persons, by the chief governours of any of the said religious houses, in as large and ample manner as the said chief governours should or ought to have done, if this act had never been made.

The rights
of founders,
patrons, or
donors, saved.

VI. Provided always, that the King's highness, his heirs and successours, at any time after the making of this act may at their pleasures ordain and declare by their letters patents under their great seal, that such of the said monasteries or religious houses, not before this time given by his Grace to any person or persons by his letters patents, as is aforesaid, which his Majesty shall not be disposed to have suppressed nor dissolved by authority of this act, shall still continue and be of the same body corporate, and in the said essential estate, qualitie, and condition, as well in possession as otherwise, as they were before the making of this act, without any suppression or dissolution thereof, or any part of the same, by authority of this act; and that every such ordinance and declaration, so to be made by the King's highness, shall be good and effectual to the chiefe governours of the said religious houses, which his Majestie will not have suppressed, and to their successors, according to the tenors and purports of the letters patents thereof to be made; any thing or things contained in this act to the contrary hereof notwithstanding. Saving alwayes and reserved to every person and persons, being founders, patrons, or donours, of any the said monasteries or religious houses, that is or shall be suppressed by this act, or otherwise by any other meanes, their heyres, and successors, all such right, title, and interest, possession, rents, annuities, fees, offices, leases, commons, proxies, pensions, and sinodals, and all other profitcs, whatsoever they bee, which any of them have or should have had without fraud or covin, by any maner of meanes, otherwise then by reason or occasion of the dissolution of the said monasteries or religious houses, in to or upon any the said monasteries or religious houses, whereof they be founders,

patrons,

patrons, or donours, or in to or upon any the lands, tenements, or other hereditaments, appertayning or belonging to the same, in like maner, forme, and condition, as other persons and bodies politique, be saved by this act, as is before rehearsed, and as if the said monasteries or religious houses had not been suppressed or dissolved by this act, or otherwise by any other meane, but had continued still in their essential bodies and estates, as they be now or were in; any thing in this act to the contrary hereof notwithstanding.

A. D.
1537.
Chap. 16.

VII. And further be it enacted, ordained, and established by authority aforesaid, That all and singular persons, bodies politique and corporate, to whom the King's Majestie, his heyres or successours, have given, letten, or demised, or hereafter shall give, grant, let, or demise, any sites, circuits, or precincts, with the houses thereupon builded, together with all the demaines of any the said monasteries or religious houses, that is, or have been or shall be, dissolved or given to the King's highness by this act, or otherwise by any other meanes, and their successours, executors, and assignes, of every such person, bodie politique and corporate, shall be bounden by authority of this act, under the penaltie hereafter ensuing, to keepe, or cause to be kept, an honest farmour's house or household in the same site, circuit, or precinct, according to the quantitie of the demains of the same: and if any person or persons, bodies politique or corporate, that shall be bounden by this act, doe not keepe or cause to be kept such an honest farmour's house or household, that then he or they so offending shall forfeit to the King's highness, for every quarter of a yeare doing the contrarie, an hundred shillings; to be recovered to his use in every of his courts of record.

The King's
lessees of the
sites, &c. to
keep an ho-
nest farmer's
house therein
according to
the quantity
of the de-
mains; on
pain of 100s.
every quarter.

VIII. And over that it is enacted by authority aforesaid, That all justices of peace in every shire, where any such offence shall be committed or done contrary to the true meaning or intent of this present act, shall in every quarter and general sessions within the limits of their commission enquire of the premisses, and shall have full power and authority to hear and determine the same, and to tax and cesse no lesse fine for every of the said offences, then is aforelmitted for the same offences, and the estreats thereof to be made and certified in the King's Exchequer of this land according and at such time and forme, as other estreats of fines, issues, and amer- ciaments, been made by the said justices.

Justices of
peace to in-
quire of such
offences: im-
pose and
estreat said
fines.

IX. Provided that this act, ne any thing therein contayned, shall extend, or any wise be meant, to the rectories, parsonages, vicarages, or churches of the Norragh and Taghmolyn begge, or to any dismes, tythes, offerings, alterages, landes, tenements, and other profites, whatsoever they be, belonging to them or any of them, during the lives of Sir John Derthicke, parson of the Norragh aforesaid, and Sir Thomas Festame, parson of Taghmolyn aforesaid.

X. Provided that this act, ne any thing therein comprised, shall extend or in any wise be meant to the rectories, parsonages, vicarages, or churches of Holywood, Dullardeston, and the free chappel of Armakrenan, and Kyluskie, and the parsonage of

A. D. 1537. **U**ske, or to any dismes, tythes, offerings, alterages, lands, tenements, and other profits, whatsoever they be, belonging to them, or any of them, during the lives of Sir Robert Luttrell, parson of Holywood afore said, Sir John Connyl, vicar of Holywood afore said, Sir John Lawles, vicar of Taghmolynbegge afore said, Sir Alexander Baron, parson of Dullerdeston afore said, Sir Eustace Browne, master or governour of the said free chappel of Armakrenan and Kiluskie, and Sir Edmonde Eustace, parson of Uske; but that they, and every of them, shall have and enjoy their said benefices with the issues and profits of the same during their lives.

XI. Provided also by authority afore said, That any article, provision, matter, thing, or things, whatsoever it be, comprised or mentioned in this present act, shall extend, or in any wise be prejudiciall or hurtfull to the most reverend father in God, George archbishop of Dublin, or any his successors, in, to, or for any right, possession, or title, that the said most reverend Father in God, or any his predecessors, hath or shall have to any advowson, parsonage, vicarage, patronage, presentation, or collation to or of any benefice or promotion spiritual, whatsoever it be, lately belonging or in any wise appertayning to the said house or monastery of Taghmolynbegge; any thing or things in this present act notwithstanding.

XII. Provided that this act, neyther any thing therein containd, be prejudicial or hurtful to the vicars choralls of St. Patrickes church of Dublin, neyther to their successors, for their right, title, interest, possession, and entree, into and for the benefice, pension, and tythes of Kynnegh, within the countie of Catherlaghe.

C H A P. XVII.

An Act for loding of Wool and Flockes. Rot. Parl. cap. 28.

*Ir. 13 H. 8. 2.
Ir. 11 El. 10.
Sess. 3.*

The former statute of conveying wool, of little effect for want of authority to enter and seise.

Loading wool one of the greatest occasions of idleness and desolation.

WH E R E in a Parliament holden at Dublin the thirteenth year of our sovereign lord king Henry the eighth, that now is, before the right honourable lord Thomas, then Earl of Surrey, and the King's lieutenant within this land of Ireland, amongst other things for the common and publique weale of the same land it was established, ordayned, and enacted, That no person ne persons should lode ne convey no maner of wooll ne flockes out of this said land of Ireland upon pain of forfeiture to the King our sovereign lord the double value of the same: that notwithstanding, for because there was no authority given by said estatute to any officer of the King's, or other common person, to enter and make seisure in the said wooll and flockes to be loden contrary to the same ordinance, the said good and beneficiall estatute hath taken little effect; but contrary to the minde, intent, and effect of the same great plenty of wooll and flockes hath continually hitherto, sithence the making thereof, beene laden and conveyed out of this said land, to the great and inestimable hurt, decay, and impoverishment of the King's poore subjects within the said land: for redress whereof, and in consideration

tion that loading and conveying of the wooll of the growe of this land out of the same is one of the greatest occasions of the idleness of the people, waste, ruine, and desolation of the King's cities and borough townes, and other places of his dominion within this land : be it therefore enacted, ordayned, and established by the assent and consent of our said sovereign lord the King, the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That all licences and plackards heretofore had, made, or graunted by our sovereign lord the King, or hereafter to be had, made, or graunted by any the King's lieutenants deputy or deputies of this land to any person or persons contrary to the true meaning, form, and effect of the said statute, shall be cleerly voyd and of none effect. And also that no maner person ne persons from henceforth doe load, ship, convey, or carry in any ship, vessel or boat, no maner woolls or flocks, nor convey or carry, or cause to be conveyed or carried, to any port, haven, place, or creeke, to the intent to ship or loade such wooll or flockes, upon paine of forfaiture as well of the said wooll and flockes so loaded, shipped, conveyed, and carried, as of the ship, vessel, or boat, wherein the same shall be loaded, if the master, owner, or governour thereof be in any wise privie to the same ; the one moitie of the said forfeiture to be to the use of our said sovereign lord the King, and the other moitie to him or them that shall seise, finde, or present the said forfeitures or any of them, or that will sue therefore by action of debt, bill, plaint, information, or otherwise in any of the King's courts of his Grace's bench, common place, or exchequer, wherein the partie defendant shall in no wise be admitted to wage his lawe, nor in the said action, bill plaint, or information, any essoine, ne protection, nor any licence, pardon, or plackard, graunted or to be graunted by any lieutenants or deputie of this land to any person or persons, which shall be impeached to have offended contrary to the forme and effect of this or any other act touching the prohibition or loding of woolls or flocks, shall be allowable ; and if any ples be pleaded in any suit, bill, pleint, information, or action not triable within this land, nor within any such place where the King's writ dothe rune within this land, then by authority of this act every such plee, if any issue be taken of the same, shall be tryed by verdict of twelve men in the shire or place, where any such action, bill, plaint, or information shall be commenced ; any thing to the contrary hereof had or made notwithstanding.

II. And it is also enacted by authority aforesaid, That the King's justices of ples before his grace to be holden within this land for the time being, and every of them, and his highnesse barons of his grace's exchequer for the time being, and every of them (that is to say) the said justices in the King's bench, and the said barons in the exchequer, and every person to be authorized by the King's commission to enquire of the offenders of any thing or things mentioned

A. D.
1537.
Chap. 17.
All licences
granted con-
trary to 13. H.
8. 2. to be
void.

None shall
ship, &c. wool
or flocks, on
pain of for-
feiture there-
of, and of
the vessel, if
the master or
owner Privy ;
half to K.
half to the
seizor, &c.

No pardon
by the lieut.
&c. allowable.

A. D. 1537. or comprised in this present act, shall have full power and authority from time to time to enquire of the offenders of every article, thing or things, provided and established by authority of this present act, and of the said act made in the said thirteenth yeare of our said Sovereign Lord, as well by presentment, verdict, or oathes of twelve men or otherwise, and the same shall heare, determine, and adjudge in like manner, forme, and condition, as they may doe any other matter coming or growing before them, whereof they within the jurisdiction of their courts have good authority; and that none of them shall tax any lesse fine upon any person or persons so offending, and being thereof lawfully convicted by verdict, confession, or otherwise, then the very value of the forfeiture thereof, limited and appointed by this present act or by the said act made and established in the said thirteenth yeare of the reigne of our said most dread Sovereign Lord.

Ir. 13 H. 8. 2.
This act to be inquired of by presentment or verdict before the justices of B. R. barons of exchequer, or commissioners.

Searchers privy to and not presenting the cause of forfeiture in 14 days, if term open, if not, within 6 days of the beginning of the next term, forfeit their offices, and incapable.

If afterwards they receive or exercise the office, forfeit 40s. per diem.

Searcher to forfeit 5l. if his deputy or factor privy to and conceal such offence.

III. And be it further enacted by the same authority, That every searchour, which shall have full knowledge or be privy to the carrying, conveying, or lading of any wooll or flockes contrary to this act, and conceal the same without presenting the cause of such forfeiture into the King's exchequer, or before the said justices within fourteene dayes next following, if the terme be then open, and if it be not, then within fixe dayes of the beginning of the terme then next following; and being convicted thereof by verdict, confession, or otherwise before any of the said justices, barons of the said exchequer, or commissioners, that he hath otherwise offended contrary to this act, shall forfeit such estate, as he shall have in his said office at the time of the offence committed, and by authority of this Parliament unhabled and repelled from the exercising, receiving, or occupying of that office for ever, any letters patents or other gift or graunt to him thereof made or had, or to be had or made, in any wise notwithstanding: and if afterwards, contrary to the tenour of this act he receive, exercise, or use the same office, he shall lose, for every day that he so useth or occupieth it, xl. s. the one halfe thereof to be to the use of our sovereign lord the King, and the other halfe to be to him or them that will sue for the same by originall writ of debt, bill, plaint, information, or otherwise in any the King's courts, wherein the partie defendant shall not wage his law, ne in the same any essoine, licence, pardon, plackard, or protection shall be allowed. And if any searchor or searchors within this land doe make, assigne, or appoint any deputie or deputies, factour or factours, servant or servants for the using, exercising, or occupying of his or their said office, which shall have knowledge or be privie to the carrying, conveying, or lading of any wooll or flockes contrary to this act, and conceale the same without presenting the cause of such forfeiture in the said King's exchequer, or before the said justices within fourteene dayes next following, if the terme be then open, and if it be not, then within fixe dayes of the beginning of the terme then next following, and being thereof convicted by verdict, confession, or otherwise before any of the said justices,

justices, barons of the said exchequer, or commissioners, that they or any of them hath otherwise offended contrarie to this act, any such searcher or searchers, that shall so appoint any such person or persons to be his or their deputie or deputies, factour or factours, servant or servants, for the using and exercising of his or their office, offending and concealing, as is aforesaid, shall lose and forfeit for every such time that his or their deputie or deputies, factour or factours, servant or servants, shall offend or conceale as is aforesaid, five pounds, the one halfe thereof to the use of our soveraign lord the King, and the other halfe to be to him or them that will sue for the same, by originall writ of debt, bill, plaint, information or otherwise, in any of the King's courts, wherein the partie defendant shall not wage his law, ne in the same no effoine, licence, pardon, plackard, or protection shall be allowed.

IV. Be it also enacted by authority aforesaid, That every packe or fardell laded, or shipped, or carried, sent, or conveyed to any place within this land to the intent to be laded or shipped, wherein any maner of wool or flockes shall be set, packed, or enclosed, shall be seysed and forfeited; whereof the one halfe shall be to our soveraign lord the King's use, and the other halfe to him or them that shall seise or take the same, or sue for the same by action of debt, bill, plaint, information or otherwise in any of the King's courts, wherein the partie defendant shall not wage his lawe, ne in the same any effoine, licence, pardon, plackard, or protection shall be allowed; any thing or things heretofore had, made, or provided to the contrarie notwithstanding.

V. Provided that this act, ne any thing or things herein contained, be prejudicial or hurtful to or for Edward Abecke of Manchester, merchant, but that he by himselfe, or any other to his use, during his life natural may lode or carie yearly at his and their pleasure into England flocks or wooll to the value of xl. li. to be yearely entered with the customer, controller, and searcher of any port or haven, where the same shall be shipped and loden, this act, or any thing or things therein mentioned, notwithstanding.

A. D.

1537.

Exception
for Edward
Abecke of
Manchester.

C H A P. XVIII.

An Act for the Proove of Testaments. Rot. Parl. cap. 29.

FORASMUCH as in a Parliament holden at Westminster in the one and thirtieth yeare of the noble Prince King Edward the third upon the complaint of his people for the outrageous and grievous fines and summes of money, taken by the ministers of bishops and other ordinaries of holy church for the probate of testaments, and for the acquittance by the said ordinaries of the same to be made concerning the same, the said noble King in the same Parliament openly charged and commaunded the archbishop of Canterbury, and other ordinaries for that time being, that amendment thereof should be had, and if none amendment thereof be had, it was by authority of the same Parliament accorded, that the King should thereof make enquiry by his justices of such misdemeanors,

Recital of
St. 31 E. 3.
4 Eng.

A. D. and that the same justices should heare and determine them as well
 at the suit of the King as the partie, as of old time hath been
 used, as by the same estatute more plainly it appeareth; and after
 for further avoiding of the same divers good and wholsome esta-
 tutes and lawes thereof was made, as well in the third yeare of
 the raigne of King Henry the fift, as in the one and twentieth yeare
 of our most dread soveraign lord King Henry the eight, as by the
 said statutes more plainly it appeareth; and considering the great po-
 vertie that resteth amongst the King's subjects of this land of Ireland
 by many and divers occasions, and that the taking of the said ex-
 actions in no part be diminished, but from time to time encreased, to
 the impoverishing and hinderance of the King's true subjects, the said
 estatutes and lawes notwithstanding; for remedie whereof be it en-
 acted, ordeyned, and established by authority of this present Parlia-
 ment, that from the first day of Februarie in the yeare of our
 Lord God one thousand five hundred thirtie seven nothing shall be
 demaunded, received, ne taken by any archbishop, bishop, ordinary,
 archdeacon, chancellor, commissary, official, or any other maner
 person or persons whatsoever he or they be, which now have or
 hereafter shall have authority or power to take or receive probati-
 on, insinuation, or approbation of testament or testaments by him-
 selfe or themselves, nor by his or their registers, notaries, scribes, praisers,
 sumpnors, apparitors, or by any other of their ministers, farmors,
 or servants, for the probation, insinuation, and approbation of any tes-
 tament or testaments, or for the commission of administration of the
 goods or cattells of any person dying intestate, or for writing, seal-
 ing, praying, registering, fines, making of inventories, giving of ac-
 quittances, or for any costes and charges, or any other maner of cause
 concerning the same, where the goods of the testator of the said
 testament, or the person so dying intestate or otherwise, doe not
 amount cleerely over and above the value of iii. li. vi. s. viii. d.
 Irish money, except to the scribe or notarie to have for the writing
 of the probat of the testament of him deceased, whose goods shall
 not be above the same cleere value of iii. li. vi. s. viii. d. Irish, xii. d.
 Irish; and except to the ordinary, his commissary, official, or other mi-
 nister having the custodie of his seale usuall accustomed for the sealing
 of testaments, for the wax, sealing, and deliverie of the probate of the
 testament of him deceased, whose goods shall not be above the same
 cleere value of iii. li. vi. s. viii. d. Irish, and to the scribe for the
 writing of the commission of administration of the goods of any man
 dying or deceasing intestate, not being above like value of iii. li.
 vi. s. viii. d. xii. d. and to the ordinarie, his commissarie, official, or
 other minister, having the custody of his said seale, for wax, sealing,
 and deliverie of the same commission viii. d. Irish; and that ne-
 vertheless the archbishop, bishop, ordinary, or other person or per-
 sons, having power or authority to take or receive the probation,
 insinuation, or approbation of testaments, refuse not to approve or
 make

1537.
 Chap. 18.
 3 H. 5.
 21 H. 8. 5.
 Eng.

Enacting part.

Fees for pro-
 bate or admi-
 nistration
 where the
 goods exceed
 not 3l. 6s. 8d.
 to the scribe
 or notary
 12d. to the
 ordinary, &c.
 for the seal
 8d.

The ordina-
 ry, &c. not to
 refuse to prove
 such testa-
 ment

make any such testament, or make any such commission being lawfully desired, tendered, or offered to them to be proved, approved or made, then whereof the goods of the testator or person so dying intestate, or otherwise, amount not above the value of three pounds fixe shillings eight pence Irish, so that the said testament or commission, be exhibited to him or them in writing readie to be sealed, and that the same testament be lawfully proved before the same ordinary, before the sealing, to be the true, whole and last testament of the same testatour, in such forme as hath been commonly accustomed in that behalfe, and when the goods of the testatour doth amount over and above the cleere value of iii. li. vi. s. viii. d. and do not exceed the summe of ten pound Irish, that then no archbishop, bishop, ordinarie, nor other maner person or persons whatsoever he or they be, now having, or that hereafter shall have authority to take probaton or approbation of any testament or testaments, as is aforesaid by themselfe or any of their said registers, scribes, notaries, prayfours, sumners, apparitors, nor any other their ministers for the probaton, insinuation, and approbation of any testament or testaments, or for the commission of administration of the goods and cattels of any person dying intestate, or for writing, registering, sealing, praying, making inventories, giving of acquittances, fines, or for any costs or charges, or for any other maner of cause concerning the same, shall take or cause to be taken of any person or persons, but only three shillings four pence Irish, and not above; whereof to be to the ordinarie, or to other person or persons, having power and authority to take any probaton of any testament or testaments, for him and his ministers, ii. s. and not above; and xvi. d. residue of the said iii. s. iiiii. d. to be to the scribe, notarie, or register, for the writing and registering of the same. And where the goods of the testator, or person or persons so dying intestate or otherwise, doe amount over and above the cleere value of x. li. Irish, and do not exceed the summe of xx. li. Irish, that then the archbishop, bishop, ordinary, nor other person or persons now having, or which hereafter shall have authority or power to take probate of testaments as is aforesaid, by him or themselfe, or any of his or their said registers, scribes, notaries, prayfers, sumners, apparators, or any other their ministers, for the probaton, insinuation, and approbation of any testament, or testaments, or for the commission of administration of the goods or cattalls of any person dying intestate, or for writing, registering, sealing, praying, making of inventories, giving of acquittances, fines, or for any costes or charges, or for any maner of cause concerning the same, shall take or cause to be taken, of any person or persons, but onely vi. s. viii. d. Irish, and not above; whereof to be to the ordinarie or to other person or persons, having power or authority to take probaton of any testament or testaments, for him and his ministers, v. s. Irish, and not above; and xviii. d. residue of the vi. s. viii. d. to be to the scribe, notary, or

A. D.
1537.
Chap. 18.
or grant such commission, when exhibited in writing ready to be sealed, and the testament lawfully proved.

When the goods exceed not 10l. The ordinary, &c. shall have 2s. The register, &c. 1s. 4d.

When not above 20l. To the ordinary, &c. 5s. To the register, &c. 1s. 8d.

A. D.
1537.
Chap. 18.

When not
above 40l.
To the ordi-
nary, &c. 8s.
To the re-
gister 2s.

When not
above 100l.
to the ordi-
nary, &c.
14s. The re-
gister 2s. and
8d.

When a-
bove 100l. To
the ordinary
&c. 16s. and
8d. To the
register, 3s.
and 4d.

register, for the writing and registering of the same. And when the goods of the testator, or person or persons so dying intestate, or otherwise do amount to the clear value of xx. pounds Irish, and do not exceed the sum of xl. li. Irish, that then the archbishop, bishop, nor ordinary, nor other person or persons, now having, or which hereafter shall have authority or power to take probate of testaments, as is aforesaid, by him or themselfe, or any of his or their registers, notaries, praisers, sumners, apparators, or any other their ministers, for the probation, insinuation, and approbation of any testament or testaments, or for the commission of administration of the goods or cattals of any person dying intestate, or for writing, registering, sealing, praising, making of inventories, giving of acquittances, fines, or for any costs or charges, or for any manner of cause concerning the same, shall take, or cause to be taken of any person or persons, but onely x. s. Irish, and not above; whereof to be to the ordinary, or to other person or persons having power or authority to take any probation of any testament or testaments, for him and his ministers viii. s. Irish, and not above, and ii. s. residue of the said x. s. to be to the scribe, notary, or register, for the writing or registering of the same; and when the goods of the testator or person or persons so dying intestate or otherwise, do amount to the clear value of xl. pounds Irish, and not exceed the sum of c. li. Irish, that then the archbishops, bishops, nor ordinaries, nor other person or persons now having, or which shall have hereafter authority or power to take probate of testaments, as is aforesaid, by him or themself, or any of his or their registers, notaries, praisers, sumners, apparators, or any other their ministers, for the probation, insinuation, and approbation of any testament or testaments, or for the commission of administration of the goods and cattles of any person dying intestate, or for writing, registering sealing, praising, making of inventories, giving of acquittances, fines, or for any costs or charges, or for any manner of cause concerning the same, shall take, or cause to be taken, of any person or persons, but onely xvi. s. viii. d. Irish, and not above; whereof to be to the ordinary, or to other person or persons having power or authority to take any probation of any testament or testaments, for him and his ministers xiiii. s. Irish, and not above, and ii. s. viii. d. residue of the said xvi. s. viii. d. to the scribe, notary, or register, for the writing and registering of the same. And when the goods of the testator or person or persons so dying intestate or otherwise do amount to the clear value of one hundred pounds Irish, and above, whatsoever the sum or quantity thereof be, That then the archbishops, bishops, or ordinaries, or other person or persons now having, or which hereafter shall have authority or power to take probate of testament as is aforesaid, by him or themself, or any of his or their registers, notaries, praisers, sumners, apparators, or any other their ministers, for the probation, insinuation, and approba-

tion of any testament or testamente, or for the commission of administration of the goods and cattals of any person dying intestate, or for writing, registering, sealing, praising, making of inventories, giving of acquittances, fines, or for any costs or charges, or for any other manner of cause concerning the same probate of testament, shall take, or cause to be taken, of any person or persons but onely xx. s. Irish, and not above ; whereof to be to the ordinary, or to any other person or persons having power or authority to take any probation of testament or testaments for him and his ministers, xvi. s. viii. d. Irish, and not above ; and iii. s. iv. d. residue of the said xx. s. to be to the scribe, notary, or register, for the writing and registering of the same. And that every such archbishop, ordinary or other person or persons so having, or which hereafter shall have authority or power to take or receive the probations or approbations of any testament or testaments, or to make any commission of any administration of any goods or cattles of any person or persons dying intestate, their registers, scribes, notaries, and ministers, shall approve, ordain, make, insinuate, seal, and register from time to time, the said testaments and commissions, and deliver the same, sealed with the seal of their office, to the executor or executors, administrator or administrators, named or appointed for the same ; and that for the said sum or sums abovesaid, and in manner and form as is above rehearsed, to deliver it with convenient speed without any frustratory delay. And in case any die intestate, or that the executors so named refuse to prove the said testament, then the said ordinary, or other person or persons, having authority to take probate of testaments, as is above said, shall graunt the administration of the goods of the testatour or person deceased to the widow of the person deceased, or to the next of his kin, or to both as by the discretion of the same ordinary shall be thought good ; taking surety of him or them, to whom shall be made such commission, for true administration of the goods, cattals, and debts, which he or they shall be so authorised to minister ; and in case where diverse persons claim the administration as next of kin, the which be equal in degree of kindred to the testatour, or person deceased, and where any person onely desireth the administration as next of kin, where indeed diverse persons be in equality of kindred, as is aforesaid ; then, in every such case, the ordinary to be at his election and liberty to accept any one or moe making request : where diverse do require the administration, or where but one or moe of them, and not all being of equality of degree, do make request, then the ordinary to admit the widow, and him or them onely making request, or any one of them at his pleasure, taking nothing for the same but the said sum, and that in manner and form as is abovesaid. And that the executor and executors, named by the testatour or person deceased, or such other person or persons to whom such administration shall be admitted, where any person

A. D.
1537.
Chap. 18.

The probate or commission to be delivered without delay. In case of intestacy, or executors refusing to prove, the ordinary &c. to grant administration to the widow, or next of kin, or both, by his discretion taking surety for the true administration. *Eng. 21 H. 8. 5.*

Where in equal degree, the ordinary has election.

A. D.
1537.
Chap. 18.

Executors or administrators taking two creditors or legatees, or on their refusal or absence two next of kin, or in their default two other honest persons, to make a true inventory; to be indented, one part upon the oath of the executor or administrator delivered to the ordinary, &c. the other to remain with them.

The ordinary, &c. not to refuse the inventory, or to procure any other.

All corn and cattle to be valued as used in the diocese of Meath.

Lands, &c. devised to be sold, or the money raised, or the profits not accounted part of the goods.

The ordinary, &c. to deface the seal, and immediately redeliver it to the executors, &c. and shall, upon request, deliver without delay.

dyed intestate, or by way of intestate, calling or taking to him or them such person or persons, two at the least, to whom the said person so dying was indebted, or made any legacy, and upon their refusal or absence two other honest persons, being next of kin to the person so dying, and in their default or absence two other honest persons, and in their presence and by their discretions shall make or cause to be made a true and perfect inventory of all the goods, cattals, wares, merchandises, as well moveable as not moveable, whatsoever, that were of the said person so deceased, and the same shall cause to be indented, whereof the one part shall be by the said executor or executors, administrator or administrators, upon his or their oath or oaths, to be taken before the said archbishop, bishop, ordinaries, their official or commissaries, or other person having power to take probat of testaments, upon the holy evangelist to be good and true; and the same one part indented shall be presented and delivered into the keeping of the said archbishop, bishop, ordinarie, or ordinaries, or other person or persons having power to take probate of testaments, and the other part thereof to remain with the executor or executors, administrator or administrators. And that no archbishop, bishop, ordinarie, or other person having authority to take probate of testaments, as is abovefaide, upon the paine in this estatute hereafter contayned refuse to take any such inventorie or inventories, to him or them presented or tendered to be delivered, as is aforesaid, and that they, ne none of them, shall procure, or cause to be procured, any other inventorie for the probation or approbation of any testament, or making any letters or commission of administration, if the said inventorie or inventories be presented to him or them, or tended to be delivered in manner and forme as is aforesaid; in which inventorie or inventories, to be made in manner and form as is aforesaid, all corne and cattell to be rated and valued to the same price and value, as hath been used and accustomed to be valued and praised within the dioces of Meithe in every inventorie before this time made for the probation of any testament, or making of any commission of Administration. Provided alway, if the person or persons so deceased will by his or their testaments or last will any lands, tenements, or hereditaments to be sold, that the money thereof comming, nor the profites of the said lands for any time to be taken, shall not be accompted as any of the goods or cattels of the said person so deceased. And that the said archbishop, bishop, ordinarie, or other person or persons having authority to take probate of testament or testaments, as is aforesaid, upon the delivery of the seale and signe of the testator doe cause the same seale to be defaced, and thereupon incontinent to redeliver the said seale unto the said executor or executors, administrator or administrators, without claime or challenge thereunto to be made. And in case any person or persons at any time hereafter require a copie or copies of the said testaments so proved, or of the said inventorie so made

made, that then the said ordinarie or ordinaries, and thother persons having authority to take probate of testaments, or their ministers, shall, from time to time, with convenient speed, without any frustratorie delay, deliver, or cause to be delivered, a true copy or copies of the same, to the said person or persons so demanding them, or any of them, taking for the search, and for the making and writing of everie of the said testaments or inventories but only such fee as is before rehearsed, for the writing and registering of the same.

A. D.
1537.
Chap. 18.

true copies of wills or inventories to any persons; taking for the search and writing only such fee as above for writing and registering.

VI. Provided alway, that where any person or persons having power or authority to take probate of testaments, have used to take lesse summes of money than is abovesaid, for the probate of testaments, or commissions of administrations, and other cause concerning the same, shall take and receive such summe or summes of mony for the probate of testaments and commissions of administrations, and other cause concerning the same, as they before the making of this act have used to take, and not above.

Where less sums used to be taken for the probate, &c. more shall not be taken than before.

VII. Be it further enacted by authoritie aforesaid, That no archbishop, bishop, ordinarie, or other person having any power or authoritie to prove or approve any testament, shall compell the husband or friend of any woman covert to prove or approve any testament of her husband's goods, or shall take or receive, or cause to be taken or received, any mony or other thing, for the probation or approbation of any testament of any woman covert, or making of any commission of administration, for or concerning the pretended goods of any such woman covert, unless the said woman covert be executor or administrator to any testator deceased, or otherwise have cause or title of action, whereof her husband, after her death, have no remedy by course of the common law, upon pain hereafter limited.

Ordinary, &c. not to compell the husband or friend of Feme covert to prove a testament of her husband's goods, or receive any thing for probate or administration thereof; unless she be an executrix, or administratrix, or have cause of action, whereof husband has no remedy by law.

VIII. And it is enacted, That every archbishop, bishop, ordinarie, archdeacon, chauncellour, commissarie, official, and other person or persons having, or the which hereafter shall have authority to take any probate of testaments, their ministers, farmours, registers, scribes, praisors, sumners, apparators, and all other their officers or servants, whatsoever they be, that shall doe, or attempt, or cause to be done or attempted, against this act or ordinance in any thing, shall forfeit and lose, for every time so offending, to the party grieved in that behalf, so much mony as any such person abovesaid shall take, contrary to this present act, and over that, shall forfeit x. li. Irish, whereof the one moitie shall be to the King our soveraign Lord, and the other moietie to be to the person so grieved in that behalf, that will sue by action of debt, bill, plaint, information, or otherwise, in any of the King's courts, for the recoverie of the same, in which action no essoine, protection, ne wager of law shall be admitted or allowed. And that every of the said archbishops, bishops, and other persons, which hereafter shall incurre, or fall into the daunger of such penalty or

Offenders to forfeit so much as they take contrary to this act, and also 10l.

But every offender to be charged only for himself.

A. D. forfeiture, shall be charged onely for himself and none of them
 1537. to be chargeable to that penalty for other offences.

Chap. 18.

Ordinaries,
 &c. may still
 convene exe-
 cutors before
 them to prove
 or refuse, and
 to bring in-
 ventories, &c.

IX. Provided alway, That this present act be not prejudicial to any ordinarie or other person, which now have, or hereafter shall have authority to take probate of testaments, but that every of them shall and may convent before them, all and every person and persons made and named executor or executors of any testament, to the intent to prove or refuse the testament or testaments of their testatour or testatours, and to bring inventories, and to doe every other thing concerning the same, as they might doe before the making of this act, so that alwayes any such ordinarie, or other person or persons having such authority by themselfe, their commissaries, scribes, registers, or other ministers aforesaid, shall not in any wise take for the same above the fees limitted by this act, ne in any wise attempt any thing contrary to any part of the same act.

C H A P. XIX.

The Act of Faculties. Rot. Parl. cap. 30.

Rep. 3. and 4.
 Ph. and M.
 Rev. 2 Elz. 1.
 25 H. 8. 21.
 Eng.
 explained 17
 and 18 G. 3.
 c. 25.

Recital of
 the English
 St.

Subjects
 impoverished
 by great sums
 sent to Rome.

WHEREIN a Parliament begun at London, in the realme of England, the third day of November, in the xxi. yeare of the raign of our most dread soveraign lord King Henry the eight, King of England and of Fraunce, defendour of the faith, lord of Ireland, and supream head in earth of the church of England, and from thence adjourned to Westminster, and by divers prorogations there holden and continued, it was and is enacted amongst other things, in maner and forme as followeth: Most humbly beseechen your most royal Majestie, your obedient and faithful subjects, the commons in this present Parliament assembled by your most dread commandement, that where your subjects of this your realme, and of other countries and dominions being under your obeyfance by many yeares past, have beene and yet be greatly decayed and impoverished by such intollerable exactions of great summes of mony as hath been claymed and taken, and yet continually be claymed to be taken out of this your realme, and other your said countreys and dominions, by the bishop of Rome, called the Pope, and the see of Rome, as well in pensions, cences, Peter-pence, procurations, fruits, suits for provisions, and expeditions of bulls for archbishopprickes and bishopprickes, and for delegacies and rescrips in causes of contentions and appeales, jurisdictions legative, and also for dispensations, licences, faculties, graunts, relaxations, writs called (*perinde valere*) rehabilitations, abolitions, and other infinite sorts of bulls, breeves and instruments of fundry natures, names, and kindes, in great numbers, heretofore practised and obtayned, otherwise then by the lawes, laudable uses and customes of this realme should be permitted, the specialties whereof been over long,

large

large in number, and tedious here particularly to be inserted, wherein the bishop of Rome aforefaid hath not beene only to be blamed for his usurpation in the premisses, but also for his abusion and beguiling your subjects; pretending and perswading to them that he hath full power to dispence with all human lawes, uses, and customes of all realmes in all causes, which be called spiritual; which matter hath beene usurped and practised by him and his predecessors by many yeares in great derogation of your imperial crown, and authority royal, contrarie to the right and conscience; for where this your grace's realme, recognising no superiour under God but onely your Grace, hath beene and yet is free from subjection to any man's lawes, but onely to such as have been devised, made, and ordained within this realme for the wealth of the same, or to such other as by sufferance of your Grace and your progenitors the people of this realme have taken at their free liberty, by their own consent, to be used among them, and have bound themselves by long use and custome to the observance of the same, not as to the observance of the lawes of any forreigne prince, potentate, or prelate, but as to the accustomed and auncient lawes of this realme, originally established as lawes of the same by the said sufferance, consent, and customes, and none otherwise. It standeth therefore with natural equitie and good reason, that in all and every such lawes human, made within this realme, or induced into this realme by the said sufferance, consentes, and custome, your royall Majestie, and your lords spiritual and temporal, and commons representing the whole state of your realme, and this your most high court of Parliament, have full power and authority not onely to dispence, but also to authorise some elect person or persons to dispence, with those and all other human lawes of this your realme, and with every one of them, as the qualitie of the persons and matters shall require, and also the said lawes, and every of them, to abrogate, adnull, amplifie, or diminish, as it shall be seene to your Majestie, and the nobles and commons of your realme, present in your Parliament, meet and convenient for the wealth of your realme, as by divers good and wholesome acts of Parliament, made and established as well in your time, as in the time of your most noble progenitors, it may plainly and evidently appeare. And because it is now in these present days seen, that estate, dignitie, superioritie, reputation, and authoritie of the said imperial crown of this realme, by the long sufferance of the said unreasonable and uncharitable usurpations and exactions, practised in the times of your most noble progenitors, is much and fore decayed and diminished, and the people of this realme thereby impoverished, and so or worse be like to continue, if remedie be not therefore shortly provided: it may therefore please your most noble Majestie for the honour of Almighty God, and for the tender love, zeale, and affection that ye beare and alwayes have borne to the wealth of this your realme and subjects of the same, for as much as your Majestie is supreme head

A. D.

1537.

Chap. 19.

Laws made within the realm alone binding, save by sufferance, consent, and custom.

The Parliament may dispense with, annul, &c. the law; or authorise others so to do.

A. D. 1537. Chap. 19. of the church of England, as the prelates and clergie of your realme, representing your said church in their synodes and convocations have recognised, in whom consisteth full power and authority upon all such lawes as have been made and used within this realme, to ordeyne and enact by the assent of your lords spiritual and temporal, and the commons in this your present Parliament assembled, and by authority of the same, that no person or persons of this your realme, or of any other your dominions, shall from henceforth pay any pensions, censures, portions, Peter-pence, or any other impositions, to the use of the said bishop or of the see of Rome, like as heretofore they have used by usurpation of the said bishop of Rome and his predecessors, and sufferance of your Highness, and your most noble progenitors to doe: but that all such pensions, censures, portions and Peter-pence, which the said bishop of Rome, otherwise called Pope, hath heretofore taken and perceived, or caused to be taken and perceived, to his use, and his chambers, which he calleth apostolique, by usurpation and sufferance, as is above said, within this your realme or any other your dominions, shall from henceforth cleerely surcease, and never more be levied, taken, perceived, nor payed, to any person or persons in any maner of wise; any constitution, use, prescription, or custome to the contrary thereof notwithstanding.

No Peter-pence, pensions, &c to be paid to Rome.

Neither the King nor any subject to sue to Rome for any licence, dispensation, &c.

granted by the archbishop of Canterbury, as formerly from Rome.

II. And be it further enacted by the authority aforesaid, that neyther your Highness, your heyres nor successors, Kings of this realme, nor any your subjects of this realm, nor any of any other your dominions, shall from henceforth sue to the said bishop of Rome, called the Pope, or to the see of Rome, or to any person or persons, having or pretending any authority by the same, for licences, dispensations, impositions, faculties, graunts, rescripts, delegacies, or any other instruments, or writings, of what kind, name, nature, or qualitie soever they be of, for any cause or matter, for the which any licence, dispensation, composition, facultie, graunt, rescript, delegacie, instrument, or other writing heretofore hath been used and accustomed to be had and obtained at the see of Rome, or by authority thereof, or of any prelate of this realme, nor for any maner of other licences, dispensations, compositions, faculties, graunts, rescripts, delegacies, or any other instruments or writings, that in causes of necessity may lawfully be graunted without offending of holy scriptures and lawes of God: but that from henceforth every such licence, dispensation, composition, facultie, graunt, rescript, delegacy, instrument, and other writing aforenamed and mentioned, necessary for your Highness, your heyres and successors, and your and their people and subjects, upon the due examinations of the causes and qualities of the persons procuring such dispensations, licences, compositions, faculties, graunts, rescripts, delegacies, instruments, or other writings, shall be graunted, had, and obtained, from time to time, within this your realme and other your dominions

dominions, and not elsewhere, in manner and form following, and none otherwise (that is to say) the archbishop of Canterbury, for the time being, and his successors, shall have power and authority, from time to time, by their discretions, to give, graunt, and dispose, by an instrument under the seale of the said archbishop, unto your Majestie, and to your heyres and successors, Kings of this realme, as well all manner such licences, dispensations, compositions, faculties, graunts, rescripts, delegacies, instruments, and all other writings, for causes not being contrary, or repugnant to the holy scriptures and lawes of God, as heretofore hath been used and accustomed to be had and obtained by your Highness, or any your most noble progenitors, or any of your or their subjects, at the see of Rome, or any person or persons, by authority of the same. And all other licences, dispensations, faculties, compositions, graunts, rescripts, delegacies, instruments, and other writings, in, for, and upon all such causes and matters, as shall be convenient and necessarie to be had, for the honour and suretie of your Highness, your heyres and successors, and the wealth and profit of this your realme, so that the said archbishop, or any his successors, in no maner wise, shall graunt any dispensation, licence, rescript, or any other writing afore rehearsed, for any cause or matter repugnant to the lawes of Almighty God.

III. Be it also enacted, by authority aforesaid, that the said archbishop and his successors, after good and due examinations by them had, of the causes and qualities of the persons procuring for licences, dispensations, compositions, faculties, delegacies, rescripts, instruments, or other writings, shall have full power and authority, by themselves, or by their sufficient and substantial commissarie or deputie, by their discretions, from time to time, to graunt and dispose, by an instrument under the name and seale of the said archbishop, as well to any of your subjects, as to the subjects of your heyres and successors, all maner licences, dispensations, faculties, compositions, delegacies, rescripts, instruments, or other writings, for any such cause or matter, whereof heretofore such licences, dispensations, compositions, faculties, delegacies, rescripts, instruments, or writings, have bin accustomed to be had at the see of Rome, or by authority thereof, or of any prelate of this realme. And that the said archbishop and his commissarie shall not graunt any other licence, dispensation, composition, facultie, writing, or instrument, in causes unwont, and not accustomed to be had or obtained at the court of Rome, nor by authority thereof, nor by any prelate of this realme, untill your Grace, your heyres or successors, or your or their counsaile shall first be advertised thereof, and determine whether such licences, dispensations, compositions, faculties, or other writings, in such cases unwont, and not accustomed to be dispensed withall, or obtained, shall commonly pass as other dispensations, faculties, or other writings, shall or may upon pain,

A. D.
1537.
Chap. 19.

But in unusual cases, not till the King or council first be advertised thereof, and determine that the same shall pass, on pain of fine by the grantors.

A. D. 1537. Chap. 19. that the graunters of every such licence, dispensation, or writing in such causes unwont, contrary to this act, shall make fine at the will and pleasure of your Grace, your heyres and successours. And if it be thought and determined by your Grace, your heyres and successours, or your or their counsaile, that dispensations, faculties, licences, or other writings, in any such causes unwont, shall pass; then the said archbishop or his commissarie, having licence of your Highness, your heyres and successours for the same, by your or their bill assigned, shall dispenche with them accordingly.

Dispensations, &c. where the tax to Rome on them amounted to four pound, must be first confirmed under the great seal, and inrolled in Chancery, and so may others be, if the procurers require it, paying five shillings.

IV. Provided always, that no maner of dispensations, licences, faculties, or other rescripts or writings, hereafter to be graunted to any person or persons, by virtue or authority of this act, by the said archbishop or his commissarie, being of such importance, that the tax for the expedition thereof at Rome, extended to the summe of four pound or above, shall in any wise be put in execution, till the same licence, dispensation, facultie, rescript, or other writing, of what name or nature soever it bee, be first confirmed by your Highness, your heyres and successours, kings of this realme, under the great seale, and enrolled in your chauncerie, in a roll by a clerk, to be appointed for the same. And that this act shall be a sufficient warrant to the chancellour of England, for the time being, or to him whom your Grace, your heyres, or successours, shall depute to be keeper of the great seale, to confirme in your name, your heyres or successours, the foresaid writings, passed under the said archbishop's seale, by letters patents, in due forme thereof, to be made under your great seale, remitting as well the said writing under the archbishop's seale, as the said confirmation under the great seale, to the parties from time to time procuring for the same. And that all such licences, dispensations, faculties, and other rescriptes and writings, for the expedition of the which, the said taxes to be payed at Rome, was under foure pound, which be matters of no great importance, shall pass only by the archbishop's seale, and shall not of any necessitie be confirmed by the great seale, unless the procurers of such licence, facultie, or dispensation, desire to have them so confirmed, in which case they shall pay for the said great seale, to the use of your Highness, your heyres and successours, five shillings sterling, and not above, over and beside such taxes as shall be hereafter limited, for the making, writing, registering, confirming, and enrolling of such licences, confirmations, and writings, under the said tax of foure pound. And that every such licence, dispensation, composition, facultie, rescript, and writing, of what name or nature so ever it be, for such causes, as the tax was wont to be foure pound or above, so graunted by the archbishop, and confirmed under the great seale, and all other licences, dispensations, faculties, rescripts, and writings, hereafter to be graunted by the archbishop, by vertue and authority of this act, whereunto the great seale is not limited of necessity to be put

All dispensations, &c. so granted, to be as effectual as if obtained from Rome.

put to, by reason that the taxe of them is under foure pounds, shall be accepted, approved, allowed, and admitted good and effectuell in the law in all places, courts, and jurisdictions, as well spirituall as temporall, within this realme, and elsewhere within your dominions; and as beneficial to the persons obtayning the same, as they should have been, if they had been obtayned with all things requisite of the see of Rome, or of any other person by authoritie thereof, without any revocation or repeale hereafter to be had of any such licences, dispensations, faculties, rescripts, or writings, of what nature soever they be. And that all children procreated after solemnization of any marriages, to be had or done by vertue of such licences or dispensations, shall be admitted, reputed, and taken legitimate in all courts, as well spirituall as temporall, and in all other places, and inherite the inheritance of their parents and auncestors, within this your realme, and all other your dominions, according to the lawes and customes of the same. And all acts to be done, had, or executed according to the tenour of such licences, dispensations, faculties, writings, or other instruments, to be made or graunted by authority of this act, shall be firme, permanent, and remaine in force; any foreign lawes, constitutions, decrees, canons, decretalls, inhibitions, use, custome, prescription, or any other thing had or hereafter to be made to the contrary notwithstanding.

V. And be it further enacted, That the said archbishop and his successours shall have power and authority to ordeyne, make, and constitute a clerk, which shall write and register every such licence, dispensation, facultie, writing, or other instrument to be graunted by the said archbishop, and shall finde parchment, wax, and silken laces convenient for the same; and shall have for his paines such summes of money, as shall be hereafter in this present act to him limited in that behalfe for the same. And that likewise your Grace, your heyres and successours, shall by your letters patents under your great seal ordeine, depute, and constitute one sufficient clerke, being learned in the course of chauncery, which alwayes shall be attendant upon the lord chancellor or the lord keeper of the great seal for the time being, and shall make, write, and inroll the confirmations of all such licences, dispensations, instruments, and other writings, as shall be thither brought under the archbishop's seal, there to be confirmed and inrolled; and shall also entitle in his bookes and inroll of record such other writings, as thither shall be brought under the archbishop's seale, not to be confirmed, taking for his paines such reasonable summes of money as hereafter by this act to him shall be limited for the same. And that as well the said clerke appointed by the said archbishop, as the said clerke to be appointed by your Highness, your heyres or successours, shall subscribe their names to every such licence, dispensation, facultie, or other writing that shall come to their hands, to

A. D.
1537.
Chap. 19.

Children of
such marri-
ages legiti-
mate.

A clerk
appointed by
the archbi-
shop for writ-
ing and regis-
tering such
licences, &c.

Another by
the King to
write and in-
rol them.

Both clerks
to subscribe
their names
thereto.

A. D. 1537.
Chap. 19.

be written, made, graunted, sealed, confirmed, registered, and enrolled by authority of this act in forme as is before rehearsed.

VI. And forasmuch as the charges of the obtayning of the said licences, dispensations, faculties, and other rescripts, or writings aforenamed, at the court of Rome by the losses, exchanges, and in conducting of currours, and waging solicitors to sue for any such licences, dispensations, faculties, instruments, and other rescripts or writings, have beene grievous and excessive to your people; and many times greater summes have beene demaunded for the speedie expedition in the court of Rome, than be expressed in the old taxelimited to be payed for the said expeditions, whereby your people have been brought to an uncertainty upon the payment for expeditions of such things, and by reason thereof have been constrained to pay more, then they were wont to doe, to the great impoverishing of this realme as is afore said: and sometimes the speeding of such dispensations, faculties, licences, and other writings at Rome have been so long deferred, that the parties labouring for the same have suffered great incommodities and losses for lacke of quick speede, which hereafter may be had within this your realme to the great commoditie of your people, whereby the charges of making exchanges, conducting of currours and solicitors for the said dispensations, shall be abated, and your people so much relieved and eased; to the intent that all ambiguitie and incertaintie of payments for dispensations, faculties, licences, and other rescripts and writings, may be taken away, that no fraud or exaction shall be exercised upon your people by such officers, as shall be appointed by this act to take paines in speeding such dispensations, faculties, and licences, but that your people may be sure and certaine, what they be appointed to pay for the same: be it enacted by this present Parliament, and by the authority of the same, that there shall be two bookes drawn and made of one tenour, in which shall be conteyned the taxes of all customable dispensations, faculties, licences, and other writings, wont to be sped at Rome, which bookes, and every leafe of those bookes, and both sides of every leafe, shall be subscribed by the archbishop of Canterbury, the lord chauncellour of England, the lord thesaurer of England, and the two chief justices of both the benches for the time being; to the which bookes all suitors for dispensations, faculties, licences, and other writings afore rehearsed, shall have recourse, if they require it; and one of the said bookes shall remaine in the hands of him, which shall be appointed to be register and scribe of the said dispensations, faculties, and licences under the said archbishop of Canterburie, in forme as is before said; and the other booke shall remain with the clerke of the chauncerie, which by your Grace, your heyres, or successours, shall be appointed, as is before rehearsed; which clerk of the chauncerie shall also entitle and note particularly and daily in his booke, ordeyned for that purpose,

To avoid all fraud, two books to be made containing the taxes of dispensations, &c.

Every leaf subscribed on both sides, by the archbishop, &c. one to remain with each of the clerks.

All suitors may have recourse thereto

The clerk in chancery to note daily in his book the number and quality of the dispensations, &c.

pose the number and qualitie of the dispensations, faculties, licences, and other rescripts and writings, which shall be sealed only with the seal of the said archbishop, and also which shall be sealed with the said seale, and confirmed with the great seal in forme as is aforesaid, that all fraude and concealment in this behalfe may be avoided.

VII. And be it enacted by this present Parliament, and by authority of the same, That no man suing for dispensations, faculties, licences, or other rescripts or writings, which were wont to be sped at Rome, shall pay no more for their dispensations, faculties, licences, or rescripts, then shall be conteyned, taxed and limitted in the said duplicate booke of taxes, (onely compositions excepted) of which being arbitrarie, no taxe can be made, wherefore the taxe thereof shall be set and limitted by the discretion of the said archbishop of Canterbury, and the lord chauncellour of England, or the lord keeper of the great seal for the time being. And that such as shall exact or receive of any sutour more for any dispensation, facultie, or licence then shall be conteyned in the said booke of taxes, shall forfeit ten times as much as he shall so extorciously exact and receive, the one halfe of the which forfeiture to be to the use of your Grace, your heyres or successors, and the other halfe thereof to be to such of your subjects as will sue for the same by action, bill, or plaint, in any of your Grace's courts, wherein the defendand shall have no essoine or protection allowed, neither shall be admitted to wage his law.

VIII. Be it also enacted by this present Parliament, and authority of the same, that the taxe or summe appointed to be payed for every such dispensation, licence, facultie, instrument, rescript, or other writing to be graunted by authority of this act, shall be employed and ordered as hereafter ensueth (that is to say) if the taxe extend to four pound, or above, by reason whereof the dispensation, licence, facultie, rescript or writing, which shall pass by the said archbishop's seale must be confirmed by the appencion of the great seal, then the saide taxe so extending to foure pounds, or above, shall be devided into three parts, whereof two shall be perceived by the said clerke of the chauncerie, to be appointed as is aforesaid, to the use of your Highness, your heyres and successors, and to the use of the lord chauncellour, or the keeper of the great seal for the time being, and to the use of the said clerke, in such wise as hereafter shall be declared, and the third part shall be taken by the said clerke of the archbishop, to the use of the same archbishop, and his commissarie, and the said clerke and register, in such wise as hereafter shall be ordered and limitted by this act: that is to say, the said two partes shall be divided in four parts, of which three parts shall be taken to the onely use of your Highnesse, your heyres and successors, and the fourth part shall be devided into three parts, whereof the chauncellour of England, or lord keeper of the great seal for the time being, shall have two parts, and the said clerke of the chauncerie the third part for his pains, travailes and labours that he is limit-

A. D.
1537.
Chap. 19.

None to pay more than as taxed in said books, on pain of ten times as much as extorted. Except for compositions; which shall be taxed by discretion of the said archbishop and the lord chancellor.

How the taxes, to be paid for dispensations, &c. shall be divided and disposed.

A. D. 1537. Chap. 19. ted to write and doe by vertue of this act, and the third part of the whole tax appointed to the said archbishop and his officers, as is aforefaid, shall be devided in three parts, whereof the archbishop shall have to his use two parts, and his officers shall have the third part thereof, of which third part to be devided, two parts the said clerke or register, which shall finde parchment, wax, and filke, and shall devise and write the said dispensations, licences, faculties, rescripts or other writings, and register the same, shall have for his said labour, and for receiving, and for repaying of the summes of money that shall come to his hands for dispensations, faculties, licences, and other rescripts aforefaid, the one moitie thereof, and the commissary of the said archbishop appointed to seale the same dispensations, faculties, licences, and rescripts, shall have the other part: and if the tax be under foure pound and not under fortie shillings, then the said tax shall be devided into three parts, as is aforefaid, whereof the King's Highnesse, his heyres and successors shall have two parts, whereof abating three shillings four pence, which shall bee to the said clerke of the chauncerie, for subscribing, entitling, and enrolling the said dispensations, licences, faculties, rescripts, and other writings aforefaid, and receiving of the King's money so taxed, and the archbishop and his officers shall have the third part, which third part shall be divided into two parts, whereof the archbishop shall have the one entirely to himselfe, his scribe and commissarie the other part thereof, egally to be divided amongst them, for their costs and paines in that behalfe; and if the tax be under fortie shillings, and not under twentie sixe shillings eight pence, the same tax shall be devided into two partes, whereof the one part shall be unto your Grace, your heyres and successors, deducting thereof for the clerke of the chancery two shillings for his paines, as is aforefaid, and the other part shall be to the archbishop and his officers, which other part shall be divided into two parts, whereof the archbishop shall have the one, and his commissarie and scribe shall have the other, egally divided amongst them; and if the tax be under xxvi. s. viii. d. and not under twentie shillings, the same shall be devided into two partes, whereof your Grace, your heyres and successors shall have the one part intirely, abating two shillings thereof to the said clerke of the chauncerie, and the archbishop and his officers shall have the other part, and the same other part shall be devided into three parts, whereof the archbishop shall have one, his commissarie the second, and his scribe or register the third; and in case the tax be under twentie shillings, the same shall be perceived to the use of the said commissary, clerke of the said archbishop, and clerke of the chauncery, to be egally devided amongst them, for their paines and labours by them to be susteyned by authoritie of this act, as is aforefaid.

Other bishops may notwithstanding, dispense as usual before.

IX. Provided alway, that this act shall not be prejudiciall to the archbishop of Yorke, or to any bishop or prelate of this realm, but that

that they may lawfully, notwithstanding this act, dispense in all causes in which they were wont to dispence by the common law or custome of this realme, afore the making of this act.

A. D.

1537.

Chap. 19.

X. Provided also, and be it enacted by authoritie aforesaid, That if it happen the see of the archbishopricke of Canterbury to be void, that then all such maner of licences, dispensations, faculties, instruments, rescripts, and other writings, which may be graunted by vertue and authoritie of this act, shall during the vacation of the same see be had, done, and graunted under the name and seal of the gardian of the spirituakies of the said archbishoprick for the time being according to the tenour and forme of this act; and shall be of like force, value, and effect, as if they had been graunted under the name and seal of the archbishop for the time being.

Guardian
of the spiritu-
alties to grant
dispensations,
&c. during
vacancy of
the see.

XI. And be it further enacted, that if the foresaid archbishoppe of Canterbury for the time being, or the said gardian of the spirituakies for the time being, hereafter refuse or denie to graunt any licences, faculties, dispensations, instruments, or other writings which they be authorised to doe by vertue and authoritie of this act, in such maner and forme as is afore remembred, to any person or persons that hath a good, just, and reasonable cause to have the same, by reason whereof this present act by their wilfulnesse, negligence, or default, should take none effect, then the chauncellour of England or the lord keeper of the great seal for the time being, upon any complaint thereof made, shall direct the King's writt to the said archbishoppe or gardian denying or refusing to grant such licences, dispensations, faculties, or other writings, enjoining him by the said writt, upon a certaine payne therein to be limitted by the discretion of the said lord chauncellour or keeper of the great seal, that he shall in due fourme grant such licence, dispensation, facultie, or other writing, according to the request of the procurers of the same, or else signifie unto your Highness your heyres and successours, in the court of chancerie at a certaine day, for what occasion or cause he refused and denied to graunt such licences, faculties, or dispensations; and if it shall appeare unto the said lord chauncellor or lord keeper of the great seal upon such certificate, that the cause of refusal or denial of granting such licences, faculties, or dispensations was reasonable, just, and good, that then so being proved by due searce and examination of the said chauncellor or lord keeper of the great seal to be admitted and allowed: and if it shall appeare upon the said certificate, that the said archbishop or gardian of spirituakies for the time being of wilfulnesse in contemning the due execution of this act without a just and reasonable cause refused or denied to grant such licences, faculties, or dispensations, that then your Highnesse, your heyres and successours, being thereof informed after due examination had, that such licences, faculties, or dispensations may be graunted without offending the holy scriptures and laws of God, shall have

If grants
of dispensati-
on, &c. refu-
sed, the chan-
cellor to issue
injunction
unless cause.

If cause
not allowed,
the King by
injunction
under great
seal to order
the grant be
made, on a
penalty.

A. D. power and authoritie in everie such cause for the default, negligence, and wilfulnesse of the said archbishop or gardian to send your writ of injunction under your great seale out of your said court of chauncerie, commaunding the said archbishop or gardian, that so shall denie or refuse to graunt such licence, facultie, or dispensation, to make sufficient graunt thereof, according to the tenour and effect of this act by a certain day, and under a certaine paine in the said writt to be conteyned and to be limited by your Highnesse, your heyres and successours, Kings of this realm: and if the said archbishoppe or gardian after the receipt of the said writt refuse or denie to graunt such licences, faculties, or dispensations, as shall be enjoyned him by vertue of the said writ, and shew and prove before your Majestie your heyres or successours, no just or reasonable cause why hee should so doe, then the said archbishop or gardian, that so shall refuse to put this act in execution according to the said writ of injunction, shall suffer, lose, and forfeit to your Highnesse, your heyres and successours, such pain and penaltie, as shall be limited and expressed in the said writ of injunction: and over that it shall be lawfull to your highness, your heyres, and successours, for every such default and wilfulnesse of the said archbishoppe or gardian for the time being, to give power and authoritie by commission under the great seal to such two spirituall prelates, or persons to be named by your Highness, your heyres or successours, as will doe and graunt such licences, faculties, and dispensations, refused or denied to bee graunted by the said archbishop or gardian in contempt of this act.

On default of said archbishop or guardian, the King may by commission impower two spirituall persons to grant dispensations, &c.

XII. And be it further enacted by authoritie aforesaid, that the said two spirituall prelates or persons to whom in such cases anie such commission shall be directed, shall have power and authoritie to graunt every such licence, facultie, dispensation, instrument, and other writings so refused to be graunted by the said archbishop or gardian for the time being, by an instrument under their seales; taking like fees and charges for the same as is before rehearsed, and not above under the pain above remembred. And that every such licence, facultie, and dispensation, so graunted for any causes or matters whereunto any confirmation under the King's great seal is appointed by this act to be had in manner and forme above declared, shall be had and obtayned accordingly; and such licences and confirmations shall be had for like fees and charges, as they are above specified, and not above, under the paines above mentioned. And that every such licence, facultie, dispensation, and other writing to be graunted by the said prelates or persons to be assigned by the King's highnesse, his heyres and successours, as is aforesaid, shall be of as good value, strength, and effect, and as beneficiall and profitable to the persons procuring the same, as if they had been made, graunted, and obtayned under the name and seal of the said archbishop.

XIII. Provided always, that this act, nor any thing or things therein mentioned, shall be hereafter interpreted or expounded, that your
Grace,

Grace, your nobles and subjects, intend by the same to decline or varie from the congregation of Christ's church in any things concerning the veraie articles of the catholicke faith of Christendome, or in any other things declared by holy scriptures and the word of God necessarie for your and their salvations; but onely to make an ordinance by policies necessarie and convenient to repress vice, and for good conservation of this realme in peace, unitie, and tranquillitie, from ravyne and spoyl, ensuing much the olde auncient customes of this realm in that behalfe, not minding to seeke for any reliefes, succours, or remedies for any worldly things and humane lawes in any cause of necessity, but within this realm, at the hands of your Highnesse, your heyres, and successors, Kings of this realm, which have and ought to have an imperiall power and authority in the same, and not obliged in anie worldly causes to anie other superior. Provided alway, that the said archbishop of Canterbury, or any other person or persons, shall have no power or authoritie by reason of this act to visite or vexe any monasterie, abbeyes, priories, colledges, hospitals, houses, or other places religious which be or were exempt before the making of this act; any thing in this act to the contrary thereof mentioned notwithstanding: but that redress, visitation, and confirmation, shall be had by the King's highnesse, his heyres, and successors, by commission under the great seal, to be directed to such persons as shall bee appointed requisite for the same, in such monasteries, colledges, hospitalls, priories, houses, and places religious exempt; so that no visitation nor confirmation shall from henceforth be had or made in or at any such monasteries, colledges, hospitals, priories, houses, and places religious exempted, by the said bishopp of Rome, nor by anie of his authoritie, ne by anie out of the King's dominions; nor that any person religious, or other resiant in any the King's dominions, shall from henceforth depart out of the King's dominions to or for any visitation, congregation, or assembly for religion; but that all such visitations, congregations, and assemblies shall be within the King's dominions.

XIII. Provided also, That this present act, or any thing therein contayned, or any licence or dispensation hereafter to be made by vertue and authoritie thereof, shall not extend to the repeal or derogation of the late act, made sithence the beginning of this present Parliament for the reformation of pluralities of benefices, and for non-residence of spirituall persons upon their dignities or benefices, nor to any things contained or mentioned in the said act; nor that this act, nor any thing to be done by authoritie thereof, shall not be taken, expounded, nor interpreted, to give licence to any person or persons to have any more number of benefices, then is limited in the said act; and that the same act for pluralities and non-residence of benefices, and every thing therein conteyned, shall stand good and effectuell in all intents according to the true meaning thereof; any

A. D.
1537.
Chap. 19.

Said arch-
bishop not to
visit religious
houses exempt
before.

But the
King to ap-
point com-
missioners to
visit.

All visita-
tions to be
within the
King's domi-
nions.

This act,
or any dispen-
sation, &c.
not to repeal
the Stat. as
to pluralities
and non-resi-
dence, (viz.
21 H. 8. 13.)
Eng.

A. D. 1537. thing in this present act, or any licence or dispensation to be had by authority thereof, in any wise notwithstanding.

Chap. 19.

Offenders
incur a præ-
munire in 16
R. 2. 5.

XIV. And be it further enacted by authority aforesaid, That if any person or persons subject or resiant within this realm, or within any the King's dominions, at any time hereafter sue to the court of Rome, or the see of Rome, or to any person clayming to have his authority by the same, for any licence, facultie, dispensation, or other thing or things contrarie to this act, or put in execution any licence, facultie, or dispensation, or any other thing or things hereafter to be obtayned from Rome, or the see of Rome, or from any clayming authority by the same, for any of the causes above mentioned in this act, or for any other causes that may be graunted by authority of this act, or attempt or doe any thing or things contrarie to this act, or maintain, allow, admit, or obey anie maner of censures, excommunications, interdictions, or any other procelle from Rome, of what name or nature soever it be, to the derogation or let of the execution of this act, or of any thing or things to be done by reason of the said act; that then every such person or persons so doing, offending, and being thereof convict, their ayders, counsailers, and abettors, shall incur and run into the payne, losse, and penaltie, comprised and specified in the act of provision and premunire, made in the sixteenth yeare of your most noble progenitour King Richard the second against such, as sued to the court of Rome against your crowne and dignitie royall.

Places exempt remain
as before.

XV. Provided alway, That this act, or any thing therein conteyned, shall not hereafter be taken nor expounded to the derogation or taking away of any graunts or confirmations of any liberties, priviledges, or jurisdiction of any monasteries, abbeyes, priories, or other houses, or places exempt, which heretofore the making of this act hath been obtained at the see of Rome, or by authority thereof: but that every such graunt and confirmation shall be of the same value, force, and effect, as they were afore the making of this act, and as if this act had never bin made.

But not to
pay pension to
Rome, &c.

XVI. Provided always, That the abbots, priors, and other chiefe rulers and governors of such monasteries, abbeyes, priories, and other houses and places exempt, shall not hereafter pay any pension, portion, or other cense to the see of Rome, nor admit nor accepte any visitation nor any confirmation from or by the said see of Rome, or by authority thereof, or for any person to be elect, named, or presented to be heads of any such monasteries, abbeyes, priories, places, or houses exempt; nor shall make any corporal oath to the bishop of Rome, otherwise called the Pope, upon paines limited in this act: but that every such visitation and confirmation of such heads elect in any such monasteries, abbeyes, priories, houses or places exempt, where after election they were bounden to have and obtaine any confirmation of their election, or of the person named, presented, or elect, shall

shall be from henceforth had, made and done within this realme, at and within every such abbeyes, monasteries, priories, and other houses and places exempt by such person or persons as shall be appointed by authoritie of the King's commission from time to time, as the case shall require, and not by the see of Rome, nor by the authoritie thereof: any thing in this next *proviso* above specified to the contrary thereof notwithstanding.

XVII. Provided always, that in such monasteries, abbeyes, priories, and houses exempt, where after election, presentation, or nomination of their heads, no such confirmation is requisite to be had, nor hath been used to be taken by reason of such priviledges as they have concerning the same, that in every such monasteries, abbeyes, priories, and places exempt, they shall not be bounden to obtain, have or take any confirmation for the same within this realm by authority of this act, but use their priviledges therein, as they have done before the making of this act: any thing in this act, or any the provisos next above rehearsed, to the contrary thereof notwithstanding.

XVIII. Provided also and be it enacted, That this act, or any thing or things, word or wordes, therein, or in the preamble thereof mentioned or conteyned, is not extended or meant, nor shall be expounded nor interpreted, that any dispensations, licences, or confirmations, for marriages graunted to any the King's subjects, borne under his obeyfance at any time before the twelfth day of March, in the year of our Lord God, a thousand five hundred thirty three, shall be appeyred, or of any lesse value, strength, force, or effect, then they were at the said twelfth day of March, nor that this act, or any thing therein conteyned, shall not extend to the derogation, appeyring or adnullation of any licences, dispensations, confirmations, faculties, or indulgences, at any time before the said twelfth day of March, in the year of our Lord God, a thousand five hundred thirtie three, had or obtained at the see of Rome, or by authoritie thereof, to or for any subjects borne in this realm, or in any the King's dominions, or to or for the hospitall of the Priour of St. John's Jerusalem in England, or any commaundries or members thereof, or to or for any cathedral churches, hospitals, monasteries, abbeyes, priories, colledges, conventual churches, parochiall churches, chappels, fraternities, brotherhoods, or bodies politique within this realm, or in any other the King's dominions, but that everie such licence, dispensation, confirmation, facultie, and indulgence graunted before the said twelfth day of March, to any such subject, or to the said hospitall of the priour of Saint John's Jerusalem in England, and commaundries or members thereof, or to any other cathedral church, hospitall, abbey, priory, colledge, church conventuall, parochiall church, chappell, fraternity, brotherhood, or body politique, or to their predecessors or auncestors within this realm, or in anie other the King's dominions, shall be of the same force, strength, value and effect, and may be from time to time put in execution, at all times

A. D.
1537.
Chap. 19.

Dispensations, &c. heretofore obtained from Rome, not contrary to the laws and statutes, to remain in force.

A. D.
1537.
Chap. 19.

hereafter, by and to them that will have the same as they mought have bin afore the making of this act, and as if this act had never been had or made, any thing in the said act to the contrary hereof notwithstanding. Provided alwayes, that such licences, dispensations, confirmations or faculties, heretofore obtained at the see of Rome, or by authoritie thereof, contrary to the expresse provisions of the lawes and statutes of this realm heretofore made, shall not at any time hereafter be used or put in execution in any place, to the derogation or contrarie to the said lawes and statutes of this realm, and the provisions of the same, any thing in this *proviso* to the contrary thereof notwithstanding.

The King
may reform
indulgencies
heretofore
obtained, and
the abuses
thereof.

XIX. And be it enacted by authority of this present Parliament, That the King our sovereign lord, by the advise of his honourable counsaile, shall have power and authority from time to time, for the ording, redresse, and reformation of all maner of indulgences and priviledges thereof, within this realm, or within any the King's dominions heretofore obtained at the see of Rome, or by authoritie thereof, and if the abuses of such indulgences and priviledges thereof, as shall seem good, wholesome and reasonable, for the honour of God and weale of his people, and that such order and redresse as shall be taken by his Highnesse in that behalfe, shall be observed and firmly kept, upon the paines limited in this act for the offending of the contents of the same.

This act
extending not
only to Eng-
land but all
the King's
dominions,
and Ireland
being his pro-
per dominion,
and a member
of the crown
of England,
and the like
inconvenien-
cies ensuing
from the
Pope's usurp-
ation, the said
act to be of
the same
force in Ire-
land.

XX. For as much as it is mentioned in the said act, that the effects thereof should not onely extend into the realm of England, and to the commoditie thereof, and of the subjects of the same, but also to all other the King's dominions, and his subjects, and that this the King's land of Ireland is his proper dominion, and a member appendung and rightfully belonging to the imperiall crown of the said realm of England, and united to the same; and also like inconveniences hath ensued within this land of Ireland, as hath been within the said realm of England, by reason of the usurpation of the bishop of Rome, like as is mentioned in the said act. Be it therefore enacted by authoritie of this present Parliament, That the said act, and every thing and things therein containned, shall be established, affirmed, taken, obeyed and accepted, within this land of Ireland, as a good and perfect law, and shall be within the said land of the same force, effect, qualitie, condition, strength and vertue, to all purposes and intents, as it is within the realm of England, and that all subjects and resiants within this said land of Ireland, shall observe, keepe, obey, accomplish and execute, the effects and contents specified in the said act, in like maner and forme, as the subjects of the said realm of England been bounden by authoritie of the same act, and shall have and enjoy the profit and commoditie thereof, after like maner, forme and condition, as the King's subjects of the said realm of England, use, doe, and have the same, and upon like paines and penalties as be comprised in the
said

saïd act, and that all maner licences, dispensations, faculties, or other writings obtained by any subject or resiant within this land, by authoritie of the saïd act, shall be obeyed and executed within this land, and be good and effectual to all intents and purposes, according to the tenor and effects thereof.

A. D.

1537.

XXI. Provided alway, that this act shall not be prejudiciall to any archbishop, bishop, or prelate of this land, but that they may lawfully, notwithstanding this act, dispence in all causes in which they were wont to dispence, by reason onely of their owne proper offices and dignities, by the common law or custome of this land, before the making of this act.

Not to pre-
judice the
power of dis-
pensation in
the bishops,
&c. of Ireland,
as usual.

XXII. And be it further enacted by authoritie aforesaid, That all and every person and persons authorised and appointed, or to be hereafter authorised and appoynted by the King's highnesse, his heyres and succeßours, by commission under his great seal, for the using, exercising, and occupying of any jurisdiction ecclesiasticall, or giving or graunting of any faculties, licences, dispensations, or other thing or things mentioned or comprised in this act, or any part thereof, shall have the same and like authoritie to every purpose, meaning and intent, for the using, exercising, occupying, giveing, and graunting of the same, and everie part thereof, as the Archbishop of Canterbury and his succeßours for the time being, hath or shall have, by any maner authoritie, either within the saïd realm of England, or this land of Ireland. And that the chauncellour of this land for the time being, and all other persons required and appointed by the forme of this act to execute any thing for the perfection of the same, shall have like and same authority that the chauncellour of England, and all other persons have by authoritie of this act within the realm of England: any forrein law, authoritie, usage or prescription, or any thing in this act mentioned to the contrarie notwithstanding.

Commission-
ers for eccle-
siastical jurif-
diction, grant-
ing faculties,
&c. to have
the same au-
thority as the
archbishop of
Canterbury
hath.

The chan-
cellor of Ire-
land, &c. to
have the same
authority as
the chancellor
of England,
&c.

C H A P. XX.

An Act declaring the Effect of Poynings Act. Rot. Parl. cap. 31.

PRAYEN the lords spirituall and temporall, and the commons in this present Parliament assembled, That whereas in the first session of this present Parliament, holden here at Dublin, the first day of May, in the xxviii. year of our most dread soveraign lord the King that now is, it was enacted by the authoritie of the same, that every act, ordinance, provision, thing or things, of what nature, name, condition, or quality they were of, had, done, made or established, or after that in the same Parliament, to be had, made, or established by authoritie thereof, should bee good and effectual to all intents and purposes, according to the tenour and effect of the aforesaid acts, ordinances and provisions; the act made at Drogheda, in the Parliament there holden, the Monday next after the Feast of Saint Andrew, in the tenth year of the most noble King of famous memory, King

10 H. 7. 4.
Recital of
28 H. 8. 4. and
of the doubt
occasioned by
the copulative
(And) in the
last clause of
the provision.
Explanation
of the intent
of the makers
thereof.

A. D. Henry the seventh, before Sir Edward Poynings, Knight, then being
 1537. deputie of this land, or any other act or acts, use or custome, before
 Chap. 20. the said act, made the said first day of May, the same eight and
 twentieth year, had, done, or made within this land, to the contrarie
 of the same act, in the same eight and twentieth year of our soveraign
 lord the King that now is, notwithstanding. Wherein it was also
 provided and enacted, That by force and vertue of that act, ne any
 thing therein conteined, no act, ordinance, provision, thing or things
 of what nature, name, condition, or quality soever it were of, for
 any maner lordships, lands, tenements, advowsons, abbeies, priories,
 felles, or any other hereditaments whatsoever they were, for or be-
 tween any person or persons, body or bodies politique or corporate, or
 any other particular act, ordinance or provision, or any other act,
 ordinance or provision, that should be prejudiciall, hurtfull, or in
 derogation of any graunts or liberties, franchises, usages, customes,
 or any other commodities or priviledges, given or graunted by our
 soveraign lord the King, or his noble progenitors, to any citie or
 borough towne within this land of Ireland, should be enacted or
 established by vertue or authoritie of the same Parliament, but onely
 such acts, ordinances and provisions, thing or things, as should be
 thought expedient for our soveraign lord the King's honour, the en-
 crease of his grace's revenues and profite, and the common wealth of
 this his land and dominion of Ireland, as at large is expressed and de-
 clared in the said act. And forasmuch as upon the last clause of the
 said provision in the said act, that is to say, that no act ne acts, but
 onely such acts, ordinances and provisions, thing or things, as should
 be thought expedient for our soveraign lord the King's honour, the
 increase of his Grace's revenues and profite, and the common weale of
 this his land and dominion of Ireland, diverse and fundry arguments
 alreadie have been moved and stirred, so that the same act being in
 such a copulative, everie act, ordinance and provision had, enacted
 and made sithence the said act, or hereafter to be had or made in this
 Parliament, should be as well for the King's honour and profite, as
 also for the common wealth or otherwise, such act made or enacted
 should be void and of none effect, whereas the meer trueth, and the
 true mindes and intents of us, the ordeyners, devisers, and makers of
 the same act and provision, was, that all acts made or to be made in
 this Parliament, eyther for the King's honour, or for the encrease of
 his Grace's revenues or profites, or yet for the common wealth of this
 said land, should be good and effectuell, and the same should be ex-
 pounded, meant, interpreted and taken, that if any part thereof, or
 acts or provisions were made or ordeyned, or should be made or
 ordeyned in this present Parliament, which founded, and were either
 for the King's honour, his profit, or increase of his Grace's revenues,
 or els for the common wealth should be accepted, reputed, and taken
 for good profitable acts, ordinances and provisions, any act or acts to
 the contrarie, before then made and ordeyned, notwithstanding.

The provi-
 sion in that
 statute to be
 so taken, that
 every act of
 this Parlia-
 ment, con-
 cerning either
 the King's
 honour and
 profit, or in-
 crease of his
 revenues, or
 otherwise
 concerning
 the common

For the more plainer explanation, exposition, and true declaration of our intents and mindes, the makers of the said act and provision: be it enacted and established by authoritie of this present Parliament, That the said act and provision shall bee taken, interpreted, explained and expounded, in such sort and forme, that everie act and acts, ordinance and provision made and to be made in this present Parliament, which toucheth and concerneth either the King's highnesse, his honour and profit, or increase of his revenues, or otherwise concerneth the common wealth of this his land and dominion of Ireland, shall be good, effectually, and availeable in the law, according to the purport and tenure of the same act, ordinance and provision; any act, statute, ordinance, provision, interpretation, construction and opinion, to the contrarie before this time ordeyned or provided, notwithstanding.

II. And be it further ordeyned and enacted by authoritie aforesaid, That if any person or persons at any time hereafter arrogantly, wilfully and obstinately, by way of suit, action, plea or answer, in any court within this land, after notice of this act to him made by any the judge or judges of any such court sitting in judgment where such suit or action shall be commenced, doe attempt to adnihilate or avoid this Parliament, or any act, ordinance or provision, in the same Parliament made or to be made, which at the time of making of the same doth or did concerne eyther the King's honour, profit, or increase of his grace's revenues, or else the common wealth of this his land and dominion of Ireland, that everie such person and persons so attempting to adnihilate, avoyde, and make frustrate any such act, acts, ordinances or provisions, made or to be made in this present Parliament in forme aforesaid, being thereof lawfully convicted, shall be reputed, accepted and taken as a felon, and suffer such penalties, forfeitures and losses, as felons, being lawfully convicted, shall suffer and lose by the course of the common law.

III. And be it further enacted by authoritie aforesaid, That every such suite, action and plee, to be sued or pleaded before any justice, or in any court within this land, shall not in any wise be allowable, but void and of none effect in law.

IV. And also be it enacted by like authoritie, That this act shall extend to the corroborating and making effectually of all acts, ordinances and provisions had or made, or to be had or made sithence the first day of this Parliament, till the last day of this session, which shall be for the King's honour, or for the encrease of his Grace's revenues or profits, or for the common wealth of this land and none otherwise. Any thing or things in this act, or in any other act or acts, to the contrary had or provided notwithstanding.

A. D.
1537.
Chap. 20.

wealth, shall be good in law, according to the tenor of that statute.

Felony to attempt to avoid this Parliament, or such provisions thereof as aforesaid, after notice of this act given by the judge where a suit for that purpose commenced, and such suit, &c. void.

This statute extends to corroborate only such ordinances and provisions of this Parliament as aforesaid.

A. D.

1537.

C H A P. XXI.

The Act of Penal Statutes. Rot. Parl. cap. 34.

ACTIONS on
penal statutes.
To be com-
menced with-
in three years
after the of-
fence, when
the King only
hath cause of
action.

Within one
year, when a-
ny other sues
for the King
and himself
or for himself
only.

WH E R E diverse and many penall statutes and ordinances have been made and ordained, some, whereby the punishments be given onely to the King our soveraign lord, his heyres and successors, by action, writ, bill, enditement, or information, and some, whereby the King by himselfe, and any other common person for the King, or for himselfe onely may sue by writ, bill, enditement, or information against the offender or offenders in that behalfe, and because of long tract of time, and for sparing of the suit thereof, and that then after such long tract of time, divers and many of the King's true subjects have bin in time past vexed and troubled for the penalties conteyned in the said statutes and ordinances, more for malice then for justice, whereupon perjuries have ensued to the great trouble and vexation of the King's true subjects, their heires and executors being ignorant of the said statutes and offences: Wherefore, and for the tender love and zeale, that our soveraign lord the King beareth to his said loving subjects, and at their humble desire, be it enacted, ordeyned, and established by his Highnesse, and by the assent of the lords spiritual and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That all and singular such actions, suites, bills, enditements, or informations, as from the first day of this present Parliament, upon prorogation, shall be commenced, taken, sued, had, or made onely for any pain and forfeiture, by reason or strength of any penall statutes, whereunto the King onely, his heyres or successors, and none other common person shall or may have cause of action, or be entituled by reason of the said penall statutes or any of them, shall be commenced, sued, taken or had within three years next, after the offence or offences committed or forfeited, of or for the same, had or made against the ordinance and provision of any such act or acts, statute or statutes penall, and not after the said three yeares, and that for any offence or forfeiture made or had, or to be made or had, against the ordinance and provision of any act or acts penall, made or ordeyned, or to be made and ordeyned, whereby action, suite, bill, or information popular is or shall be given to any person or persons, such as will sue for the King, and for him or themselfe, or onely for him or themselfe, that such action, bill, suite, or information be commenced, sued, had, or made by such person or persons, other then the King, as will sue in that behalfe, within one year next after the offence or forfeiture had, made, or committed against the ordinance and provision of any such act or acts penall, and not after the said year ended. And that the King's suit by writ, bill, plaint, enditement, and enformation in

in that behalfe be commensed, sued, had, or made, within three years next after the offence or forfeiture made or had against the provision and ordinance of any act or acts, statute or statutes penall, and not after the said three years; and if any action, suite, bill, enditement, or information concerning the foresaid statutes, or any of them, had or made other wise then within the time or times limited as is aforesaid, that the same action, suite, bill, enditement, or information, and every of them, commensed, sued, had, or made, for the said offence or offences, forfeiture or forfeitures, shall be voyd and of no force ne effect; any act or acts, statute or statutes, made, or hereafter to be made, to the contrarie notwithstanding.

II. Provided alway, that where any action, information, or enditement, limited by any statute to be had, made, or taken, within shorter time or times, then is afore rehearsed, that it be had, made, and taken according to the time limited in that estatute.

A. D.
1537.
ACTIONS,
&c. commen-
ced otherwise
void.

But where
a shorter time
is limited by
any statute,
that time
must be ob-
served.

C H A P. XXII.

An Act for the Weares upon the Barrow, and other Waters in the County of Killkenny. Rot. Parl. cap. 36.

PRAYEN the commons of this present Parliament assembled, That where at all times necessarie boates, scowts, wherries, clarans, cottes, and other vessels, loden and bestowed with goods, merchandizes, and other stuffe, have beene used to passe and repasse thorough and in the King's most excellent Majesty's rivers and waters of the Barrow, the Noyre, the Suyr, and the Rie, within this land, which Rie is in the county of Killkenny, to and from the King's citie of Waterford, and the townes of Killkenny, Rosse, and Clomel, to and from diverse borrowe and corporate townes, and other places, being situated in the counties of Kyldare, Catherlagh, Wexford, Killkenny, Waterford, and Tipperary, through which great commoditie and profit hath growen and might grow to the said citie, townes, boroughes, and other places, and to all and every the King's true subjects adjoyning to the same waters and rivers: and yet this notwithstanding now of late divers wilful persons, having no respect to the premisses, but more rather to their own willfulnesse, singular commoditie, and benefite, having no ground ne cause reasonable to the same, have in divers places of the said rivers and waters made such weres, purprestures, ingines, streites, and other like obstacles, and them and every of them so do keep and maintaine, that by no meanes any boates, scowts, wherries, clarans, cottes, and other vessels, laden and bestowed as is aforesaid, can conveniently passe and repasse; and through which the salmon frie, breeding in the said waters and rivers, be cleerly destroyed, contrarie to the effect and purport of the statutes therein provided; and in divers fundry places of the said rivers and waters also doe take, and procure to be taken, divers exactions and unlawfull

5 G. 2. 11.
Against
weares, &c. on
certain rivers,
obstructing
passage boats.

Destroying
salmon fry.

A. D.
1537.
Chap. 22.

Exactions
and unlawful
customs on
boats, &c.

Damage to
the goods
carried.

Enacting
part.

Any person
with the she-
riff or se-
neschal of
Kildare, Ca-
therlogh,
Wexford,
Kilkenny,
Waterford,
or Tipperary,
may prostrate
weirs, &c.
in the rivers
Barrow,
Nore, Sure,
and Ric.

Gaps in
mill-ponds for
the passage of
boats, &c.

Penalty on
resisting, five
pounds.

customs, called bankfees, of any boate, scowt, wherrie, clarane, coct, and other vessell, laden and bestowed, as is aforesaid, going and passing in and through the King's said rivers and waters; albeit that part of the said borough townes by their liberties and charters be freely and quite discharged of all manner tolles, passages, customes, and pondages in the said rivers and waters, and the land on every side of the same: and that also such person and persons, as be the boatemen, and have the rule, governance, and conveying of said boates, scouters, wherries, clarans, cotters, and other vessels, laden and bestowed as is aforesaid, at such times as they be laded with wines, of their deceit and craftie meanes doe from time to time draw, drink, and take with them parcell of the said wines, and sometimes putting in the vessell, where the said wine was, to replenishe the same, the quantitie or so much water, whereby the residue of the said wine is cleerly destroyed, to the great losses and damages of the veray owners thereof; through which premisses the merchants, occupiers, and dwellers of the said citie, townes, and boroughes, and places, be so discouraged and indammaged, that they be more liker to give over and withdrawe themselves from such trade of merchandises, then any further to use or exercise the same; which is not onely the impoverishing of the said merchants, occupiers, and dwellers, but also the utter decay of the said borough townes and places, unlesse that some convenient remedie therein be provided:

II. Wherefore be it enacted, ordeyned, and establisshed, by authoritie of this present Parliament, That it shall be lawfull and justifiable to and for every of the King's subjects within this land, going in companie with any sheriffe or seneschall of any countie afore named, to prostrate and breake, and cause to be prostrated and broken, from time to time all and every such weres, purprestures, engines, streytes, and other like obstacles, made or hereafter to be made in any of the said rivers or waters, and also a convenient gapp, or place where that boates, scouters, wherries, clarans, cotters, and other vessels may passe and repasse in, of, upon, and through everie mill pond, made or hereafter to be made, in anie of the said rivers and waters: and if anie person or persons doe resist or make anie defence in or for the prostrating and breaking, or causing to be prostrated and broken, of the said weres, purprestures, engines, streites, and other like obstacles, and mill-pondes, in manner and forme as is aforesaid, that then every such person and persons, so making resistance or defence, for every such time shall forfeit five pounds; the one moitie thereof to the King's highnesse, his heyres and successours, and the other moytie thereof to the partie that will sue for the same in anie the King's courts by action of debt, bill, plaint, information, or otherwise; wherein no essoine, protection, ne wager of law, shall be admitted or allowed.

III. And further be it enacted by authority aforesaid, That the sheriffe of anie countie, and the seneschall of anie libertie for the time being, wherein any such weres, purprestures, engines, streytes, and other like obstacles in any of the said rivers and waters, is made or hereafter shall be made, or where there is or shall be anie mill-pond, whereof there is or shall be no gapp, as is aforesaid, after knowledge thereof, had by report, complaint, enquiry, or otherwise, shall from time to time, calling and taking with him, if he be sheriffe, the power of the county, and if he be seneschall, the power of the liberty, go in proper person to every such place, whereas anie were, purpresture, engine, streite, or other like obstacle, in any of the said rivers and waters, is or shall be made, or where there is or shall be any mill-pond, whereof there is or shall be any gapp broken, as is aforesaid, and the same prostrate and break, or cause to be prostrated and broken in manner and form as is aforesaid, upon pain to every such sheriffe and seneschal, as often as he or they shall so offend, or refuse to prostrate and break, or cause to be prostrated and broken, anie of the said weres, purprestures, engines, streytes, and other like obstacles and gapps, in any such mill-pond, of tenn pound, the one half thereof to the King's highnesse, his heyres and successours, and the other halfe to the party that will sue for the same, in any of the King's courts, by action of debt, bill, plaint, information, or otherwise, wherein no essoin, protection, ne wager of law shall be admitted or allowed. And if any person or persons dwelling or demurrant within any such countie do refuse, and will not go in aid of the sheriffe of the same county, and if anie person or persons dwelling, or demurrant within any such liberty, do refuse and will not go in aid of the seneschal of the same, for the prostrating and breaking, or causing to be prostrated and broken, of anie the said mill-ponds, weres, engines, purprestures, streites, and other like obstacles, made or to be made in any of the said rivers or waters, in manner and forme as is aforesaid, being lawfully summoned and warned for the same, for every such time shall forfeit tenn shillings, the one half thereof to the King, his heyres and successours, and the other half to anie such sheriffe or seneschal, that will sue for the same, in anie the King's courts by action of debt, bill, plaint, information, or otherwise, wherein no essoine, protection, ne wager of law shall be admitted or allowed.

IV. Be it farther enacted by authority aforesaid, That no person, ne persons, bodies politique, ne corporate within this land, by him or themselves, his or their constables, fermours, officers or servants, shall take, levy, distrain, or receive or suffer, permit or cause to be taken, levied, distrained or received, no customs, or for any customs called bank fees, ne anie other duty, rent, or custom of any boat, scoute, wherry, claraue, cotte, or anie other vessel whatsoever it be, passing or repassing, in or through anie the said rivers or waters, or anie parcel of them, or of anie boate or other vessel, wherein anie

A. D.
1537.
Chap. 22.

Said Sheriff or seneschal, after knowledge or complaint of such wears, &c. shall take the power of the county or liberty, and prostrate the same, on pain of ten pound, if the sheriff or seneschal refuse.

Penalty ten shillings on those who dwell in said counties or liberties, and refuse to assist.

No bank fees, duty, or custom to be taken of any boats, &c. on said rivers, so far as the salt water ebbs and flows.

A. D.
1537.
Chap. 22.

Boatmen,
&c. to have,
if they think
needful, seven
foot of plain
ground on
each side, next
said rivers, for
the drawing,
&c. said boats,
unless where a
castle, for-
tress, orch-
ard or garden,
now is.

Offenders
to forfeit tre-
ble value, and
ten pound.

person or persons do fish in anie of the said rivers or waters, so far as the salt water doth ebb and flow, in anie of the said rivers, or of the owners of any goods, merchandises, victual or stuff, then being in any such boate, scout, wherry, clauke, or cote, and other vessels as is aforesaid, or of anie the mariners, boatmen, and other rulers and conveyers of the said boates, scout, wherries, claukes, cotes, and other vessels, but that they and every of them shall peaceably suffer and permit the said boates, scout, wherries, claukes, cotes, and other vessels, as is afore specified, with all the goods, merchandises, victualls, fish and stuffe comprised and being in the same, and the owners of the said goods, merchandises, victualls, fish, and other stuffe, and their servants, and the marryners, boatmen, and other rulers and conveyers of the said boates, scout, wherries, claukes, cotes, and other vessels, in, upon and through every the said rivers, and everie parcell of them, and the land adjoyning to the same; and that the said owners, their servants, marryners, boatmen, and other rulers and conveyers, and all other persons coming in ayd and help of them and every of them, at all such times as the said mariners, boatmen, and other rulers and conveyers shall thinke the same necessarie and needfull, shall have and occupie at every of their wills and pleasures, the space and breadth of seven foote or more, as need require, of plain ground, upon every part of the land, of every side of every the said rivers and waters, next adjoyning to the said rivers and waters, and that to bee where they must needs draw the said boats and other vessels afore named, with strength of horses or men, by land; unlesse that at the making of this present act, there bee a castel, fortresse, orchard, or garden, upon any such land so adjoyning to the said rivers, of everie side of the water, so far and as long as the said rivers and waters doe run or have their concourse, for the drawing, taking, loading, and conveying of the said boates, scout, wherries, claukes, cotes, and other vessels, and everie of them, without any impediment, let, vexation, disturbance, or unquietnesse of any the possessioners or inheritors of the said lands, or any part of them, or any person or persons, bodies politique or corporate upon pain of forfeiture to every person and persons, bodies politique and corporate offending in the premisses, or any parcel thereof, as often as he or they shall so offend, treble the valour of that thing that they or any of them doe take, to be forfeit and given to the party grieved; and over that ten pounds, the one half thereof to the King, his heirs, successors, and assigns, and the other half to the party that will sue for the same, in any of the King's courts, by action of debt, bill, plaint, information, or otherwise, wherein no essoine, protection, ne wager of law shall be admitted or allowed.

VI. And also considering the trust and confidence that the owners of any wines doe put in the said marryners, boatmen, rulers and conveyers of the said boates, scout, wherries, claukes, cotes,

cottes, and other vesseles whatsoever they bee, for the true conveyance and custodie of the said wines, the deceit and craftie handling of the said marryners, boatemen, rulers, and conveyours of the said boates, scouters, wherries, claraus, cottes, and other vessels, and the losses and damages that hath and may hereafter ensue to the owners of anie such wines; bee it enacted by authority afore said, That if any marryner, boateman, ruler, or conveyer of anie the said boates, scouters, wherries, claraus, cottes, and other vessels have the carrying, freight, or conveying of any wines, goods, or other merchandises, in any boate, scouter, wherry, clarau, cotte, or other vessell, in or through the said rivers or waters, or any parcell of them, or if any person or persons take upon him or them the carrying or conveying of any wine, goodes, or other merchandises by land, in cart, wayn, or otherwise, and doe drawe, drinke, take, or willfully perish, any caske, or parcell of any such wines, goodes, or merchandises, to them or any of them to bee delivered at any time hereafter, to be conveyed, carried, or transported in the said rivers or waters, or in anie parcell of them, or to any place or quarter of this dominion, by land, in maner and forme as is afore said, shall forfeit and lose to the owner and owners of the said wines, goods, or merchandises, as often as hee or they shall offend the same, as much money as he or they should have for the freight, conveying and carriage of all wines, goods and merchandises, to him or them at that time delivered, or appointed to be conveyed or carried, either by any of the said rivers or waters, or to any other place by land, and the treble value of that thing or things that he or they doe take, draw, drinke, or willfully perish, or cause to bee taken, drawen, dronken, or willfully perished, of the said wines, goods, or merchandises, and over that, to forfeit five pound, the one moytie thereof to our soveraign lord the King, his heires and successors, and the other moytie to the partie that will sue for the same, in any of the King's courts, by action of debt, bill, plaint, information or otherwise, wherein no essoine, protection, ne wager of law shall be admitted or allowed.

VII. And further bee it enacted by authority afore said, That none of the said marryners, or boatemen, or other persons afore named, shall take or receive, or cause to be taken or received, any summes of money, or any other thing for the freight, carriage, or conveying of any stuff or merchandises, whatsoever they bee, other then such like as is comprised in the extent thereof made, remayning in the custodie of the shiriffe of the countie of Typperarie, and in other places where such summes as they should have, is not mentioned, or limited in the said extent, that then they and every of them, doe take no more wages ne summes of money, but such like summes of money and wages, as they and every of them, in time passed, have been most commonly used and accustomed to take or receive for the freight, conveying, transporting, and carriage of

A. D.
1537.
Chap. 22.
If said boatmen, &c. carry wine or other merchandise, and drink, or willfully perish the same, forfeit the freight, and treble the value of the thing, and *xl.*

Said boatmen, &c. not to take more for freight than usual, on pain of *13s. 4d.*

A. D. ^{1537.} any such stuffe, goods or merchandises, upon pain to the taker, as often as hee shall offend in the same, thirteen shillings four pence, the one halfe thereof to our soveraign lord the King, his heires and successors, and the other halfe to the partie that will sue for the same, in any of the King's courts, or before the King's commisioners, by action of debt, bill, plaint, information, or otherwise, wherein no essoin, protection, ne wager of law shall be admitted or allowed.

C H A P. XXIII.

The Act for the Parsonage of Dongarvane. Rot. Parl. cap. 38.

The King
to have, as an-
nexed and
united to his
crown, the
parsonages of
Dongarvane,
&c.

FOrasmuch as the parsonage and church of Dongarvane, and also the parsonages and churches of Rennegenagh, Kinsalbege, Arglas, Glassemore, Amane, Whitchurch, Tampleavien, Aview, Kylronane, Rossemore, Lysgenane, together with the patronages, advowsons, and gifts of the vicarages of the said churches, and all other churches and chappelles, advowsons, and patronages, and all lands, tenements, dismes, oblations, profits, emoluments, and commodities, to the said parsonages, churches, advowsons, and patronages belonging, which were united, annexed, and appropriated to the house or monasterie of Kentshame in England, and that the abbot of the said house or monasterie, for the time being, was rightfully patrone of the vicarages of the said churches, and the same long time after the union and appropriation thereof to the said house or monasterie peaceably did possesse and enjoy without any interruption or let of any person or persons, unto such time as in the rebellion of the late earles of Desmond, the said earles presented certain persons to the same churches, which by reason and force thereof, without any colour of right or title, extorciously took the profits of the same. And albeit that the abbottes of the said house, for the time being, pursued here within this land for the recoverie thereof, yet neither the said earles, ne the said persons by them presented, would in no wise answere to the King's precepts or commaundements to them directed for the said abbottes demaunds and pursuities; and for that the said parsonages of the said churches, and the patronages of the vicarages of the same, was united and appropriated to the said house or monastery, at the time of such presentation, by the said earles usurped, and that the said presentations was in time of warre, and in the rebellion of the said earle of Desmond, and for that also, that presentations made to any parsonages and churches so being appropriated and united to any abbeye or monasterie, albeit such presentee be thereto admitted, and take thereof the profits, is but onely spoliation, and giveth no interest or title in the presentor, ne putteth the abbeye or monasterie out of possession of such churches, wherefore by the due course of the law, the said earles could winne no maner rightfull title or possession

feſſion to the ſaid churches, ne with any of them, in conſideration whereof, and forasmuch as at a Parliament holden at Dublin the firſt day of May, in the eight and twenty year of the reign of our moſt dread ſoveraign lord King Henry the eight amongſt other things it was enacted, ordayned, and eſtabliſhed, by authoritie of the ſame Parliament, That the King's highneſſe, his heires and ſucceſſors, ſhould have, poſſeſſe, and enjoy, as knitte and united to his and their imperiall crowne of England, all and everie the mannours, meſuages, tenements, and all other hereditaments, patronages, perſonages, vicarages, chappels, tythes, oblations, alterages, rights, titles, and poſſeſſions, with all other profites as well ſpirituall as temporall, whereof the abbot then being of the ſaid houſe or monaſterie, or any other to his uſe as in right of the ſaid houſe or monaſterie, had poſſeſſed or enjoyed, or of right ought to have had, poſſeſſed, or enjoyed, by which the King's highneſſe, his heires and ſucceſſors, be juſtly entitled to the ſame: and for that alſo, that the judgements and determination of ſuch as bee unlearned, who ſuppoſe that not alonely the ſaid perſons, to whom anie ſuch preſentations by the ſaid earles was made, but alſo the ſaid earles by ſuch preſentations, conſidering the continuall poſſeſſion and taking the profites of the ſaid churches by the incumbents by the ſaid earles preſented by ſo long time, ſhould be thereby to the poſſeſſion thereof lawfully entitled, albeit the cleare determination of the law is and alway hath been otherwiſe and to the contrarie; for the expelling of which ſaid doubts, and clear determination of the premies from henceforth to be had, be it enacted, ordeyned, and eſtabliſhed, by authoritie of this preſent Parliament, That every preſentation made by any of the late earles of Deſmond or any perſon or perſons to the parſonages of the ſaid churches, and the vicarages of the ſame, or anie of them, and every admiſſion, inſtitution and induction of them, and every of them, to the ſaid churches, parſonages, and vicarages, or anie of them, be reputed, accepted, and taken, fruſtrate and voyd and of none effect in law; and that by ſuch preſentation the ſaid earles, ne any of them, to winne any intereſt or poſſeſſion in the premies; and that by authoritie aforeſaid the King's highneſſe, his heyres and ſucceſſors, ſhall have, poſſeſſe, and enjoy, as knit, annexed, and united to his and their imperiall crown of England the ſaid parſonages of Dungarvan, and other parſonages aforeſaid, and churches, and alſo all and ſingular patronages, preſentations, and advowſons of every the ſaid vicarages and churches, together with all the manours, meſuages, lands, tenements, tythes, portions, penſions, oblations, alterages, profits, commodities, emoluments, and all other hereditaments, as well ſpirituall as temporall, with all and ſingular their appurtenances belonging, attayning, or in any wiſe apperteyning to the ſaid parſonages or churches, or any of them, any preſentation or preſentations heretofore made by anie of the ſaid earles of Deſmond, or any other perſon

A. D.
1537.
Chap. 23.

Preſentations by the late earls of Deſmond, void; gaining no intereſt or poſſeſſion.

A. D. 1537. son or persons, or anie admission, institution, or induction, of them, or any of them, to any of the said parsonages, churches, or vicarages, in any wise notwithstanding.

Saving to the present vicars during their lives. II. Provided, That this act, ne any thing therein contained, shall in any wise be hurtfull or prejudiciall to Sir Mawrice Connell, vicar of Dungarvane, or any other vicar perpetual, in any of the said churches; but that they, and every of them, shall have and enjoy their vicarages during their natural lives, any thing in this act to the contrary notwithstanding.

C H A P. XXIV.

The Act for Leasers of Corn. Rot. Parl. cap. 40.

25 H. 8. 1. Ir. None, except owners or their servants, shall leaze corn in harvest time.

Penalty: any person may seise.

Also forfeiture of 12d. to the lord of the soil: or, if he has no court, to the King.

Occupiers of fields permitting to leaze, forfeit 12d. to the King.

Penalty, for keeping ynmakes to leaze in harvest, 6s. 8d. to the lord, or the King on his neglect.

PRAYETH the commons in this present Parliament assembled, That whereas leasing of corn in harvest season is a great cause of idlenesse, dearth of reaping of corn, and stealing of the same, which before this time hath been remedied by authority of Parliament, which took none effect, nor was put in execution, because the possessioners and occupiers in the countrey do not endeavour themselves thereunto: wherefore be it enacted and established by authoritie of this present Parliament, That from henceforth every person and persons, which hereafter shall lease in the harvest time in any field or fields within this land, as long as the corn shall be there in reake or otherwise, shall not onely lose all the corn that they or any of them shall lease, to any person or persons that will take or seize the same, but also shall forfeit, for every time that they shall so lease, twelve pence; which forfeiture shall be to the lord of the soyl, and to be presented and enquired of in the said lord's court, and if he have no court, then the said forfeiture to be to the King our soveraigne lord; and all his justices in every of his courts to enquire thereof in like forme and sort, as they do all other estatutes penal, and to see the same duely punished and put in execution.

II. And further be it enacted by the authority aforesaid, That every occupier or occupiers of such fields, wherein any corn shall be, which willingly shall permit, or suffer any such person or persons to lease contrary to the forme aforesaid, shall forfeit to our soveraigne lord the King for every time so offending twelve pence; of which offences every of the King's justices shall enquire and execute in manner and forme aforesaid.

III. And further be it enacted by authority aforesaid, That every person or persons enhabiting within this land, which in the harvest season receive or keep in his or their houses or habitations any person or persons called ynmakes, which shall so lease contrary to the forme of this act, shall forfeit for every such ynmake fixe shillings eight pence; which forfeiture shall be to the lord of the soyl, if it be enquired or presented in his court or leete, and in negligence

negligence or default thereof to be enquired and presented in the King's court in manner aforesaid.

IV. And further be it enacted, That every person and persons, which be not able to keepe their children to schoole at the age of ten yeares, shall put them to handicrafts or husbandry, upon pain of fixe shillings eight pence, to be forfeit in manner aforesaid, and to be inquired of in maner and forme aforesaid.

V. Provided, That this act, ne any thing or things therein contained, shall extend or be meant to any owner or owners of cornes; but that they, and every of them, may lease by themselves or servants their owne corne, any thing in this act mentioned to the contrary notwithstanding.

C H A P. XXV.

The Act of Leases. Rot. Parl. cap. 33.

WHEREAS the King our sovereign lord's highnesse hath been of late informed, that divers of his dominions, lands, and possessions within this his land of Ireland, as well of his Highnesses old inheritance, as also of those which of late been comen to his Highness, by reason of monasteries suppressed, attainder of traditors or otherwise, by reason of any act or acts of Parliament within this his land of Ireland made or confirmed, do lie wast and unoccupied: for the reformation whereof our said sovereign lord the King, considering that the manurance thereof should not alonely be to his Highness his profit and honour, but also a great encrease and maintenance of the common-wealth, hath deputed and assigned Anthony Sentleger, George Poulet, Thomas Moyle, William Berners, William Brabazon, Gerald Aylmer, and John Alen, his commissioners to view and survey aswell his waste lands, as also all other his lands and possessions in the same his said land, and by his Highnesse his commission signed with his Grace's hand, and sealed with his privy seal, hath authorised them, that they or any two of them not onely to demise and let the said lands and possessions, aswell waste as occupied, and every or any part of them, for the terme of twenty one years, reserving to his Highnesse the rents thereof to be reserved, but also to direct their warrant to the chauncellour of this his said land for the sealing of such leases, as they or two of them shall make or graunt of the premises or any part of them; as by the said commission, dated at Sonninghill the last day of July in the xxix. year of our sovereign lord's most noble reign, more plainly it appeareth: and for so much as it appeareth by the said commission, that his Grace's pleasure is, that the said commissioners should make leases of the same, and that it is a thing consonant to his highnesse his honour and also profit, that such leases to be made should be good and vailable to such persons, as shall take the same; and that also such as shall be occupiers, perceiving that the same leases so to be made by the said commissioners,

A. D.

1537.

Persons not able to keep their children to school at the age of 10, shall put them to handicrafts or husbandry, on pain of 6s. and 8d.

Leases by the King's commissioners, of his old lands, or those of religious houses suppressed, or of persons attainted, shall be good, tho' no office or inquisition taken or returned

A. D. or two of them, in our said soveraign lord's name, shall be good and
 1537. available to the lessee or lessees, so that they shall and may lawfully
 Chap. 25. enjoy and occupy the said lands or possessions, so by them to be taken,
 during the said terme according to the tenor of their leases, will the
 more gladly endeavour them to have and take such lands of the
 said commissioners: be it therefore enacted by authority of this pre-
 sent Parliament, That all and every lease and leases, made or here-
 after to be made by the said commissioners, or any two of them, in
 our said soveraign lord the King's name of any the honours, manors,
 lands, tenements, or other possessions, being the King's old inheri-
 tances, or of any such lands, tenements, as did appertain to any mo-
 nasteries, abbeyes, religious houses, scites of monasteries or abbeyes,
 mills, tythes, oblations, alterages and other commodities and profits,
 with all their appurtenances, or of any part of them, which by rea-
 son of suppression of such abbeyes, religious houses, or mona-
 steries, or any of them, now being in his Grace's hands or possessions,
 or any of those landes, tenements, possessions, and profits, which be-
 comen unto his highnesse by reason of attainder of any person or per-
 sons by an act of Parliament or otherwise, and also which were
 late given to his Highnesse by reason of any act or acts of Parliament,
 made, enacted, or confirmed within this land of Ireland, or any other
 his Grace's revenues, to any person or persons according to the pur-
 port, tenor, and effect of the said commission, shall be good, effec-
 tual, and available to such person and persons, as is aforesaid, to whom
 such lease or leases shall be made, and to their assigns, for and during
 the terme mentioned and contained in the same lease, so that the said
 person or persons, and every of them, to whom such lease or leases
 of any of the premises shall be by the said commissioners, or two of
 them, made or graunted in our said soveraign lord's name, as is aforesaid,
 and his and their assigns, shall and may occupy, possesse, and enjoy the
 same for the terme mentioned in the said lease or leases according to
 the covenants and conditions mentioned and expressed in such lease, to
 be made in such ferme, as if the said leases had been made and graunted
 by the King's Highnesse, or as if the same had beene sealed by the
 chauncellor of this land for the time by vertue of immediate warrant
 to him directed by the King's highnesse, and signed with his Grace's
 hand; albeit there be no office ne inquisition of the premises taken
 ne returned in the King's chauncery of this land, ne into the King's
 exchequer of the same; any act, ordinance, or statute made and or-
 dayned within this land of Ireland, or within the realme of England,
 and ratified and confirmed in this land, to the contrary notwith-
 standing.

II. And further bee it ordeyned and established by authority
 aforesaid, That all and every warrant signed with the hands of the
 said commissioners, or two of them, directed to the chauncellour or
 keeper of the great seal, for the making out and sealing of such leases,
 shall be good and sufficient discharge and warrant to the said chauncellor,
 or keeper of the great seal for the making and sealing of the same, in
 like

like sort and forme as though such warrant had beene signed with the hand of the King's highnesse: any act or actes, statute, ordinance, provision, use or custome, made, ordeyned, declared, or used to the contrary notwithstanding.

A. D.

1537.

III. Provided alway that this act, or any thing or things therein comprised, shall not in any wise extend to any gifts or graunts made by the King's highnesse, not repealed in this Parliament, to any person or persons before the making of this act, neither to any leasee or leasees afore the tenth day of December, in the xxix. year of our soveraign lord King Henry the eight, made and graunted unto any person or persons under the exchequer seal, but that such gift, graunt, lease and leases shall be in the same strength and effect in the law, as the same and every of them were the day of the making of this act, any thing in this act to the contrary notwithstanding.

IV. And be it further enacted by authoritie aforesaid, That every grant or grants made or to be made under the King's great seal of this land, by force of any warrant signed with the said commissioners hands, or any two of them, so the said William Brabazon be one, of any ward of body or land, although it bee under the teste of the said deputie, shall bee reputed and deemed in the law of like effect and force as if the same warrant had beene or were signed with the King's owne hand, and immediately directed to the chauncellor or keeper of the great seal of this land; any thing in this act, or any other act or actes to the contrary notwithstanding.

C H A P. XXVI.

An Act for the first Fruites of Abbeyes, Priories, and Colledges.

PRayeth the commons in this present Parliament assembled, that where in a Parliament holden at Dublin within this land, the first day of May, in the xxviii. year of the reign of our most dread soveraign lord King Henry the eight, amongst other was ordeyned, enacted, and established, *That the King's highnesse, his heyres and successors, Kings of the realme of England, and lords of this land and dominion of Ireland, should have and enjoy, to endure for ever, of every such person or persons which at any time hereafter the said first day of May should be nominated, elected, prefected, presented, or collated, or by any other meanes appointed to have any archbishopricke, bishopricke, archdeaconry, deanry, prebend, parsonage, or vicarage, within the said land or dominion of Ireland, of what name, nature, or qualitie soever they be, or to whose foundation, patronage or gift soever they belong, the annate, commonly called within this land the anne first fruits, that is to say, the revenues and profites for one whole year of every such archbishopricke, bishopricke, archdeaconry, deanry, prebend, parsonage and vicarage aforesaid, whereunto any such person or persons shall at any time or times after the said first day of May nominated, elected, prefected, presented, collated, or by any other means appointed, as in the said act more at large is conteyned.* And considering that for the better

First fruits of abbeyes, hospitals, &c. granted to the King.

Recital of 28 H. 8. 8. Ir.

A. D.
1537.
Chap. 26.

For aug-
mentation of
the King's
revenue.

Enacting
part.

The same
method, as to
the valuing
and taxing,
&c. the first
fruits, is to
be observed,
as prescribed
by 28 H.8.8.

augmentation of the King's revenues within this land, whose Majestie like a most gracious prince and soveraign lord hath, with the expence of an unportable summe of his owne treasure, defended us from the ravine and spoyle of such rebells and traditors as lately attempted the utter destruction of the state of this land: And well perceiving a gratuitie again in us to be our shield against all like attemptates, that it is both reasonable, meete and convenient, that his most excellent Majestie, his heires and successors, should have and enjoy from time to time to endure for ever, the first fruits, revenues, and profites for one year of every abbey, monasterie, priorie, colledge, and hospitall, and of the priorie or hospitall of Saint John the Baptist of Jerusalem, in Ireland, and the commaundrees of the same religion, as well as of the said archbishoprick, bishoprick, archdeaconries, deanries, prebends, parsonages, and vicarages: And much more the rather, seeing that the said abbatheies, abbeyes, monasteries, colledges, and hospitalls, and the said priorie or hospitall of Saint John's, and the commaundrees of the same may better or as well satisfie, content, and pay the said first frutes, revenues and profits for one year, as the other persons bound by the said estatutes. Be it therefore ordeyned, enacted, and established by authoritie of this present Parliament, That the King our soveraign lord, his heyres and successors, Kings of the said realme of England, and lords of this land and dominion of Ireland, shall have and enjoy from time to time to endure for ever, of every such person and persons, which at any time hereafter the first day of this present Parliament, holden at Dublin upon prorogation, shall be nominated, elected, prefected, presented, collated, or by any other means appointed to have any abbey, priorie, colledge, hospitall, the priorie or hospitall of Saint John the Baptist of Jerusalem of Ireland, or any commaundree of the same religion, within this land and dominion of Ireland, of what name, nature, or quality soever they be, or to whose foundation, patronage, or gift soever they belong, the annat, commonly called within this land the anne first fruits, that is to say, the revenues and profites for one whole year, of every such abbey, priorie, colledge, hospitall, the priorie or hospitall of Saint John Baptist of Jerusalem in Ireland, and of everie the commaundrees afore named, whereunto such person or persons shall at any time or times after the said first day of prorogation of this present Parliament, be nominated, elected, prefected, presented, collated, or by any other means appointed. And that every such person and persons before any actual or reall possession, or meddling with the profites of any such abbey, priorie, colledge, hospitall, the priorie or hospitall of Saint John the Baptist of Jerusalem, or any commaundree, shall satisfie, content and pay, compound or agree to pay to the King's use at reasonable dayes upon good suerties, the said annat or ane first fruits and profites, for one whole year.

II. Be it also enacted by authoritie aforesaid, That the chauncellor of Ireland, the underthesaurer, and clerke or maister of the rolls
of

of this land for the time being, or anie two of them, so the said underthesaurer be one of the said two, or such other person or persons as shall please the King's highnesse, his heyres or succcessors from time to time, at his or their pleasure, to name and depute by commission or commissions under the great seal, shall have power and authoritie as well to examine and searck for the just and true value of the said annat, first fruits and profites, by all ways and means that they can, as to compound and agree for the rate of the said annat, first fruits and profites, and to establish, appoint, and limit reasonable dayes for the payment thereof, upon good and sufficient suerties or suerty, by writings obligatories at their discretions, and if composition or agreement be had or made, for the said annat, first fruites and profits, before the said lord chauncellor, the underthesaurer, and the master of the rolles for the time being, or any two of them, so that the said underthesaurer be one of the two, that then the writings obligatories, and money taken for the same, shall rest, remaine and abide in the hands of the underthesaurer for the time being, or in the hanaper of the King's chauncerie in Ireland, there safely to bee kept to the King's use: and the money to bee due of such writings obligatory, or to bee received in hand by reason of any such composition, shall be paid to the said underthesaurer, or in the said hanaper, to the clerke of the hanaper for the time being. And that the said underthesaurer for such writings obligatory and money as commeth to his hands, or ought to come to his hands, shall make a true and just accompt thereof at such times, and after such sort as hee shall account for the rest of the King's highnesse revenues. And that also the said clerk of the hanaper for such writings and money as he receiveth, or ought to receive, shall make a just and true accompt thereof, like as he is bound to doe of the money received of the profits of the King's great seale. And if composition or agreement bee had or made for the said annat, first fruites and profits, afore any other person or persons to be deputed by the King's highnesse, his heires or succcessors by commission under his great seal, that then the writings obligatorie and money taken for the same, shall be delivered unto the said underthesaurer or elsewhere, to whom it pleaseth the King's highnesse, his heires and succcessors, to give authoritie by commission under his great seal to receive the same.

III. And it is enacted also by authoritie aforesaid, That every writing of acquittance, subscribed with the hand and name of the underthesaurer, clerk of the hanaper, or other commissioners aforesaid, or any of them, witnessing the receiptes of the said annates, first fruites and profits, or any part thereof, and all writings obligatories to bee taken for the payments of the said annats, annue, first fruites and profits, by and afore the said lord chauncellor, underthesaurer and master of the rolles, or any two of them, or by or before any other person or persons to be deputed to compound and agree for the said annates, annue, first fruites and profites, shall be of the same strength, force, verture, qualitie and effect, to all intents

¹⁵³⁷⁻
 Chap. 26. A. D. and purposes within this land, as all such writings and acquitances, and writings obligatories subscribed and taken by and before any person or persons, as be limited and appointed by the act made at Westminster, within the realme of England, the third day of November, in the xxvi. yeare of the reign of our most dread soveraign lord King Henry the eight, be within the said realme of England, and upon certificate hereafter to be made in the King's chauncerie of this land, for any such writing obligatorie to be taken for the payment of any such annate, first fruites and profits, like proces and execution shall bee thereupon made and had against any person spirituall or temporall, as have beene accustomed to bee made against any lay person upon certificate or writings obligatory of the statute of the staple. And that no persons shall be compelled to pay for any writing obligatorie, to be made for the payment of the said first fruites, above viii. d. nor for any acquittance to be made for anie receipt of such first fruits, above iiii. d. And such person or persons as shall be deputed by the King's highnesse, by commission under the great seal of England, or of this land, to compound and agree for the said first fruites, shall at the end of everie fixe moneths next after the date of their commission, and so from fixe moneths to fixe moneths, deliver or cause to be delivered unto the underthesaurer of this land for the time being, or elsewhere, to such commissioners as shall be appointed as is aforesaid to receive the same, aswel all such money as all such specialities and bonds, as they shall have taken for the payment of the said first fruits, by indenture to bee made betweene them and the said underthesaurer or other commissioners, as is aforesaid, concerning the certaintie and number of the summes of money, of the specialities and bonds by them taken and received. And if any person or persons, to whome any deputation shall be made by commission to compound and agree for the payment of the said first fruits, their heires, executors, or administrators, conceal or imbezel any of the said specialities and bonds taken for the payment of the said first fruites, and doe not deliver them according to the tenor of this act, that they and every such offendour, shall forfeit that office of deputation, and over that, their bodies and goods to be wholly, for every such offence, at the King's will and pleasure.

The English
 St. 26 H. 8. 3.
 to be in force
 in Ireland.

IV. And be it likewise enacted by authoritie aforesaid, That all and every article, provision and thing, whatsoever they be, enacted and comprised in and within an act made and established at a Parliament holden upon a prorogation at Westminster, within the realme of England, the third day of November, in the xxvi. year of the reign of our most dread soveraign, lord King Henry the eight, for the fuertie and payment of the first fruits, revenues, and profits in the realme of England, and searck for the due knowledge of the yearly revenue of the said abbeyes and other aforenamed, and every other thing materiall comprised in the act, be in the same force, strength, vertue, quality and effect, to all intents and purposes within this land, as they and every of them be within the same realme of England.

Statut'

A. D.

1537.

THE
 TWENTY EIGHTH YEAR
 OF
 HENRY VIII.

CHAP. XXVII.

¶ *The Acte of Subsidie.*

PRAYEN the commens, that wheare by the meane and compulsion of that false and disloyal traditour, Thomas Fitz Geralde, son and heire to Geralde earle of Kildare, and other traditours, his false adherents, the moost parte of the King our Sovereigne Lords true subjects of this lande of Irelande againste their duties of allegiaunce have rebelled, and not onelie by that traditour robbed and burned, but also by their intollerable oppressions and extorcions utterlie destroied and beggered; for reformation whereof oure said Sovereigne Lorde like a graciouse Prince to his exceedinge greate charges haithe sent hither his armye roiall, by whose powere the faide rebelloun is not nowe onelie reformed, and the faide

Rebellion of
 Thomas Fitz-
 gerald, &c.

A. D.
1537.
Chap. 27.

Abuses by
Coyne and Li-
very and other
customs.

Enacting part.

Subsidy of
13s. and 4d. on
any ploughland
occupied or ma-
nured,

from 28 Sept.
1536, for 10
years.

At Easter yearly.

subjectes set at rest and quietnes, but alsoo the said traditour and other his adherentes forced to flee: and where as of longe tyme there hath bene used as welc by the Kinge's deputies and other his governours of this faide lande, as by the lordes and gentlemen of the same, manye, diverse, and sondrie intollerable chargeous customes and abusiones, as coyne and lyneraie, that is to saye, horsemet and mans mete for the syndinge of their horsmenn and footmen, with other utrageous expenses to be had, leavied and perceived of the erthe tillers, fermours, and inhabitants of the same lande, without any thing paying therfor, whiche be great causes of desolacion of that lande: in consideracion whereof, and to the entent the Kinge's revenues here may be the more augmented to bere the Kinge's charges within the same his lande for defence and reformation of the same without takyng the said coyne, and lyneray, and other the faide unlawfull imposicions, whereby all rebellions, and insurreccions, and alsoo the foresaide intollerable abusions and lyneraye with all other extorcions and unlawfull imposicions, shall be from henceforthe escheued and forbourne within the faide lande, whereby the inhabitants of the same may the better live in peaux accordinge to the lawe of God and the Kinge's: Therefor be it enacted, ordeyned, and established by authoritie of this present Parliament, that our Sovereigne Lorde the Kinge shall have yerelie a subsidie of thirteen shillings, fowre pence, of lawfull monye of Irlande of and upon eny ploughlande occupied, manured, or hereafter to be occupied or manured, within this faide lande of Irlande, from the tyme of the occupyeng or manuraunce thereof as longe tyme as it shall be soo occupied or manured, to pay the faide subsidie in maner and forme aforfaide unto our faide Sovereigne Lorde the Kinge, his heires and successours, from the twentie eighth day of Septembre in the yere of our Lorde God a thousande five hundred thirtie six to the ende of the terme of tenn yeres then next ensuyng, paiable yerelie at the feast of Ester duringe the said terme; and that all the crosse landes on the clergie of this lande to be yerelie charged duringe the said terme with like subsidie unto our faide Sovereigne Lorde to be levied at the feast aforesaide in like maner and forme as the crosse landes and clergie of the shires of Dublin, Methe, Kildare, and Louthe, was charged withe the last Parliament, whereby the last subsidie was graunted, and in noon otherwise.

II. Provided alwaie, That noo place in any shire within this lande, whiche paid noo subsidie, whan any subsidie was last levied in the same shire, be charged with subsidie by force of this acte.

III. Provided alsoo, That no maner man, spirituall ne temporall, ne commens of this lande, or any corporacion within the same, havinge landes or fredome or discharge of subsidie by the King oure Sovereigne Lorde or any his progenitours is graunts, acte or actes of Parliament, be charged with subsidie by force of this present acte.

IV. Provided alsoo, and be it enacted by authoritie of this present Parliament, That all lordes, knights, esquyers, and gentlemenn, that hereafter be caused by the lorde deputie or any other governours of this lande for the tyme being to goo or sende by reasonn of their landes and possessions to ostynges, roodes, or journeys, to serve oure Souveraigne lorde the Kinge, and all and everie lorde, knighte, esquier, and gentleman, that by reason of his or their landes or possessions is and be chargeable by the lawe, custome, or usage of this lande of Irlande to goo or sende to ostynges, roodes, or journeyes, to serve oure souveraigne lorde the King upon their proper costes, the carting and carriage to everie of theme to be assigned at ostynges, roodes, and journeyes, having their principall housholde and dwelling in the countrey oute of citties and priviledged townes, forasmuche landes and tenements as by oon of our Souveraign Lorde the Kinge's moost honourable counsaill and twoo of everie countie and shire made, ordeyned, and deputed, the Kynges commissioners for the same shire or any twoo of theme, soo that he of our faide Souveraigne Lordes counsaill be oon, shall be thought mete and competent for the

the faide lorde, knyghte, esquier, or gentleman, to manure and occupie for their awne propre ploughing and cattail for the mayntenaunce of their housholde and hospitallitie in the cuntrey for soo longe tyme as the faide lordes, knyghtes, esquiers, and gentlemen have their principall housholde and dwellinge there out of the faide cities and townes, shall pay noo subsidie for he same landes ne tenements soo by theme manured or occupied, ne shall not be charged with coyne, lyneraie, carting, ne cariages, to noo ostinges, roodes, journeys, ne in any other maner; and that everie of the faide lordes, knyghtes, esquiers, and gentlemen shall pay noo subsidie, coyne, lyneraie, carting, ne carriage, for asmoche landes and tenements as everie of theme dothe occupie and manure, unto fouche tyme as the said commissioners doo appoynt theme as is aforesaide.

V. And alsoo be it enacted by authoritie of this present Parliament, That if it fortune our Souveraigne Lorde the Kynge his Graces deputie or chauncellor of this his lande of Irelande to make, ordeyne, and depute any comyssioner or comyssioners in any countie or shire within this lande of Irelande, the counties or shires of Methe, Louthe, Dublin, and Kildare oonlie excepted, for the extending and making of ploughlandes whereof or upon the said subsidie of thirteen shillings four pence shall be rered leviabie, or alsoo for the levieng, rering, and perceiving of the faide subsidie to the use and behoufe of our Souverain the Kinge, his heyres and successeurs, that then every persone and persones within this lande of Irelande to their powers and knowledge, of what estate, condicion, or degree soo ever theye be, shall aide, maynteyne, assiste, obey, performe, and kepe the faide comyssioners and every of theme, and alsoo the ordre, levieng, and receiving of the said subsidie, execute, made, or doon by theme, or any of theme, concernynge the same: and that uppon the payne of five pound to every persone and persones, as often as he and they shall offende the same, to be forfait to our Souveraigne Lorde the Kynge his heires and successeurs for ever.

VI. Provided alsoo, That nether the city of Dublin, the citie of Waterforde, the citie of Corke, the citie of Lymerycke, ne the townes of Droogheda, Kilkenny, Kynsale, Rosse, ne noon other cittie nor towne privelegid, ne borogh towne within this lande of Irelande, be charged with subsidie.

VII. Provided alsoo, That all the messuages, landes, and tenements in Phebleistown, in the parishe of Clonesillagh within the countie of Dublin, being of arrable lande but fiftie acres, and now named and charged for halfe of oon ploughlande, and alsoo all the messuages, landes, and tenements in Barbiestown within the said parishe, beinge of arable lande, but seventie one acres, three stanges, and now named and charged for an other halfe of oon ploughlande, from hencefurthe all the messuages, landes, and tenements in Phebleistown and Barbiestown aforesaide shall not be sessid, chargid, named, ne taken but for the halfe of oon sole ploughlande, and shall pay no subsidie, ne noone other charges hereafter to be sessid uppon the ploughlandes, but as moche as oon sole halfe ploughlande shall doo.

C H A P. XXVIII.

The Act for Marieng with Irishmen.

FOrasmoche as by marriage, alterage, and fostering of the Kinge's subjectes of this his lande of Irlande with his Graces Irishe rebels great lacke of obedience hathen growen to his Highness and his moost noble progenitours of their people within this lande, and by the same dyverse enormyties, myschieves, and inconveniences have ensued and comen to his said loving subjectes from tyme to tyme for the more parte during thiese two hundred yeres, as evidentlie to every

Against marrying or fostering with Irishmen.

Repealed 11, 12 & 13 Jac. 1. c. 5.

A. D.
1537.
Chap. 28.

of the King's subjectes of this his lande for the tyme being having knowledge or practyse playnlie ded and dothe appere; and though in the tyme of the King's moost noble progenytours the same myschiefes and inconvenyences, which followed fethens to the utter undoying and desolacion of his Graces said subjectes, was then right well perceived, and dyverse good estatutes and actes by auctoritie of Parliament therefor provyded; wherein is conteyned, that every of the King's subjectes offendyng the same shoulde be a traditour attaynted: yet notwithstanding what by the defaulte and negligence of the heddes and rulers of this lande undre the King's Highnes that the said estatutes or actes were nat duelic put in execution, as the wilfull appetyt of his said subjectes havynge noo remembrance of their bounden duties to their moost drad Soveraigne Lorde, their awne comoditie, quietnes, and profit, ne the utilitie and publicque weale of their native countrey, ne yet the contempt or daungier of the transgressing of the said actes, ded often and manye tymes as well mary as fostre with the said Irishe rebelles; and somme tymes by fraude and covyne, havinge then a perfect knowledge and an intent that everye such Irishe rebell, with whom they intended to marie or foster, wold in noo parte use hymselfe, as to the King's true and obedient subject shoulde apperteigne, but for their awne faulsgarde and discharge from the penaltie and daungier of the said estatutes or actes onelie to delude or defraude the ordynance and purvey of the same ded procure to make the said Irishe rebelles, with whom they entended soo to mary or foster, denyzyns by the King's moost gracious lettres patentes whereas the said Irishe rebels soo made denyzyns ded or doo in noo parte use theme selfe, as to the King's subjectes do apperteigne, through which the King's Highnes hathe lost for the moor parte the obedience of his people of this his lande, and diverse myschieves and inconvenyences to his said subjectes from tyme to tyme hathe ensued, and moche more like to ensue, onles that somme good remedie or provision be had or provided in that behalfe: for reformacion whereof be it enacted, ordeyned, and established by the authoritie of this present Parliament, That noo persone ne persones the King's subjectes within this his lande, of what estate, degree, dignitie, or condicion so ever he or they bee, shall marie or foster themselves their childer or kynsfolke within the fourthe degree or any of theme to or with any Irishe persone or persones of Irishe blood, whiche be not the King's true subjectes, ne use themselves accordynglie thogh any fouch persone or persones be made denyzyns, oneles that every suche persone, soo to be made denizen, doo his homage and feaultie befor the King's chauncellour or keeper of the great seale for the tyme being to the King's Highnes fwering the othe comprised in the act of succession for the fullfilling and accomplishment of the effect, tenour, and purport of the same, and alsoo shall be bound by recognisaunce befor the King's chauncellour or keeper of his Graces great seale of this his lande for the tyme being in suche sommes of moneye, as to the said chaunceller or keeper of the great seale shall be thought meat and convenient, that he from the tyme that he is made denizen, shall be faithfull, true, and obedient to the King's Highnes, his heyr and successours; and that every persone and persones the King's subjectes within this his lande, that shall soo marie or foster theme selves, their childer, or kynsfolke, or any of theme, to or with any suche persone or persones of Irishe blood, as is aforesaid, without fraud or covine at the tyme of the said mariage or fostering, shall have a true and unfayned intent and meaning, that the partie soo made denyzyn, with whom he or they intend soo to marie or foster, will during his naturall life be faithfull, true, and obedient to the King's Highnes, his heyr and successours; and if any persone or persones, now made, or whiche hereafter shall be made denyzin, at any tyme or tymes hereafter, with whom any fouch mariage or fostering shall be had or made, doo transgresse his fidelitie and faithe to the King's Highnes, his heyr or successours, using hymselfe as the King's rebell, and proclamacion thereof made by the King's lieutenant or deputie, or by his or their commaundement, by the advyse of the King's counsaill,

in the shire or oppen markettes next adjoynng to such offendour, then every fuche of the Kinge's subiectes, whiche soo shall have fostred or married with any such denyzin soo rebelling or offending contrarie his othe or duetie, shall utterlie avoid eany willfull famyliaritie or company with hym or theme, that soo shall offende, oneles it be to reconcile fuche offendour or offendours to knowledge their offences commytted to the Kinge's Majestie, or els to the intent to have restitution of such goodes as any such persone or persones soo offending have taken from any the Kinge's subiects; and yf any his Highnes subiectes of this his lande doo offende in the premysses or in any parcell thereof, that then every such offence shall be demed highe treason; and that every persone and persones soo offending, being thereof lawfullie convicted according to the due ordre and proces of the Kinge's lawes, shall be adjudged a traditour attaynted of highe treason, and shall have and suffre souche paynes of deathe, losses, and forfaitour of landes, tenementes, goodes, and cattailles,, as in cases of highe treason.

A. D.
1537.
Chap. 28.

II. And be it alsoo enacted by auctoritie aforesaid, That if any fuche persone or persones, made or to be made denizins, doo not to his and their wit, knowledge, and power, fulfill and accomplishe the teanour, purport, and effecte of the said othe, and of the condicion of the said recognysaunce, but wilfullie transgresse and withdrawe their obedience and bounden duetie to their moste drad Souveraigne Lorde from his Highnes, that then if any fuche persone or persones the Kinge's true subiectes, their freendes or servauntes, that hathe married or fostred or at any tyme hereafter shall marie or foster, theme selves, their childer, or kynsfolke, or eny of theme, to or with any souche persone or persones, made or to be made denyzins, will or doo aide, mayntayne, supporte, succour, counseill, favour, or by any other meane encourage any fuche persone or persones, soo made or to be made denizins, contemptuouselie offending as is aforesaide, oneles it be to reconcile and bryng theme to their duetie of obedience due to their moost drad Souveraigne Lorde, or els to have restitution of goodes by theme taken, as is aforesaid, that then he or they soo offending, and every of theme, being therof lawfullie convicted according to the due ordre and proces of the Kinge's lawes, shall be adjudged a traditour attaynted of highe treason, and shall have and suffre souche paynes of deathe, losses, and forfaitour of landes, tenementes, goodes, and cattailles, as in cases of highe treason.

III. And bee it further enacted, That all and every article, clause, and sentence, comprised in any other acte or actes, whiche be repugnaunt or contrarie to the effect, tenour, and purport of this acte, or any thing therein conteyned, shall be voide to all ententes and purposes.

IV. Provided that this acte be not in force or take execucion, before the same be proclaimed in every shire in due forme.



The thirty third Year of Henry the Eighth.

A. D.

1542.

Statut' Ordinationes, Actus, & Provisiones in quodam Parlamento illustrissimi principis & domini nostri, dom; HENRICI octavi Dei gratia *Angliæ, Franciæ, & Hiberniæ*, Regis fidei defensoris, ac in terra ecclesiæ *Anglicanæ & Hibernicanæ*, supremi capitis, virtute commission' & mandat' dict' dom' Regis, sub magno sigillo suo *Angliæ* apud *Dublin* die Lunæ proximo, post festum sanctæ Trinitatis, videlicet XIII. die Iunii anno regni dicti domini Regis tricesimo tertio, coram dilecto & fideli suo *Anthonio Sentleger* milit' vno generosorum privatæ cameræ dicti domini Regis deputat' ejusd' domini Regis regni sui *Hiberniæ*, tent' edit', & ibidem continuat' usque ad diem Mercurii, in festo sanctæ *Margaritæ*, videlicet vicesimum diem Iulii tunc prox' sequen' & ibidem prorogat' vsque ad diem Lunæ prox. post festum omnium sanctorum videlicet septimum diem Novembris, tunc prox. futur. & ibidem prorogat. abinde, eodem die vsque ad diem Iovis, viz. vicesimum secundum diem Decembris tunc prox. futurum ad *Dublin* præd, prorogat' & ibidem eodem vicesimo secundo die Decembris vsque ad decimum quintum diem Febr. tunc prox. sequent. apud *Limericum* adiornat. & ibidem continuat. vsque septimum diem Marcii tunc prox. seq. & ibid vsq; diem Lunæ proxim. post festum sancti *Barnabæ* Apostoli, viz. duodecimum diem Iunii, tunc prox. sequent. vsq; villam de *Trym* adiornat. & ibidem vsque XXI. diem Iunii, præd' continuat. & abind' vsq; ad diem Lunæ prox. post festum omnium sanctorum, viz. vi. diem Novembris tunc prox. futur. ad Civitatem *Dublin* adiornat. & ibid' vsq; ad decimum octavum diem ejusdem mensis Novemb. continuat. & ibid. eodem die prorogat. vsq; ad decimum septimum diem Aprilis tunc prox. sequent', viz. diem Martis prox. ante festum sancti *Gregorii* martyris tunc prox. sequent. vsq; civitatem *Dublin*, & ibidem vsq; ad secundum

diem mensis Maii tunc prox. sequent. continuat. & ibid. eodem die prorogat. vsq; ad sextum diem mensis Novemb. tunc prox. sequent. vsq; ad civitatem *Dublin*, & ibidem vsque ad XIX. diem ejusdem mensis Novembris continuat. & dict. decimo nono die ibidem finit. & dissolut. edita in hæc verba. *Anno Dom. 1542.*

C H A P. I.

An Act that the King of England, his Heirs and Successors, be Kings of Ireland. Rot. Parl. c. 3.

A. D.
1542.

The King,
his heirs and
successors
Kings of
England, to
be Kings of
Ireland, as
united and
knit to the
crown of
England.

FORASMUCH as the King our most gracious dread sovereign lord, and his grace's most noble progenitors, Kings of England, have bin Lords of this land of Ireland, having all manner kingly jurisdiction, power, pre-eminences, and authoritie royall, belonging or appertayning to the royall estate and majestie of a King, by the name of Lords of Ireland, where the King's majestie and his most noble progenitors justly and rightfully were, and of right ought to be, Kings of Ireland, and so to be reputed, taken, named, and called, and for lacke of nameing the King's majestie and his noble progenitors, Kings of Ireland according to their said true and just title, stile, and name therein, hath beene great occasion, that the Irish men and inhabitants within this realme of Ireland have not beene so obedient to the King's highnesse and his most noble progenitors, and to their lawes, as they of right and according to their allegiance and bounden duties ought to have been: wherefore at the humble pursuite, petition, and request of the lords spirituall and temporall, and other the King's loving, faithful, and obedient subjects of this his land of Ireland, and by their full assents, be it enacted, ordeyned, and established by authoritie of this present Parliament, that the King's highnesse, his heyres and successours, Kings of England, be alwayes Kings of this land of Ireland, and that his Majestie, his heyres and successours, have the name, stile, title, and honour of King of this land of Ireland, with all maner honours, preheminences, prerogatives, dignities, and other things whatsoever they be to the estate and majestie of a King imperiall appertayning or belonging; and that his majestie, his heyres and successours, be from henceforth named, called, accepted, reputed, and taken to be Kings of this land of Ireland, to have, hold, and enjoy the said stile, title majestie, and honours of King of Ireland, with all maner preheminences, prerogatives, dignities, and all other the premisses unto the King's highnesse, his heyres and successours for ever, as united and knit to the imperial crown of the realm of England.

Proclamation
of this act.

II. And be it further enacted by authority aforesaid, That on this side the first day of July next comming proclamation shall be made in all shires within this land of Ireland of the tenour and sentences of this act. And if anie person or persons, of what estate, dignitie, or condition soever they or he be, subject, or resiant within this

land of Ireland, after the said first day of July, by writing or im-
printing, or by any exterior act or deede, maliciously procure or doe,
or cause to be procured or done, any thing or things to the perill of
the King's majesties most royall person, or maliciously give occasion
by writing, deede, print, or act, whereby the King's majestie, his
heyres or successors, or any of them might be disturbed or inter-
rupted of the crown of this realme of Ireland, or of the name, stile,
or title thereof, or by writing, deede, print, or act, procure or doe,
or cause to be procured or done, any thing or things, to the preju-
dice, flaunder, disturbance, or derogation of the King's majestie, his
heyres or successors, in, of or for the crowne of this realm of Ire-
land, or in, of or for the name, title, or stile thereof, whereby his
Majestie, his heyres or successors, or any of them might be distur-
bed or interrupted in body, name, stile, or title of inheritance, of,
in, or to the crowne of this land of Ireland, or of the name, stile, ti-
tle, or dignitie of the same, that then every such person and persons,
of what estate, degree or condition they be, subject or residents with-
in the said land of Ireland, and their aidours, counsaylours, main-
teyners, and abbetours therein, and everie of them, for everie such
offence, shall be adjudged high traytors, and everie such offence
shall be adjudged and deemed high treason, and the offendours, their
aydors, counsailours, maintaynours, and abbetours therein, and
every of them being lawfully convicted of any such offence, by pre-
sentment, verdict, confession, or proofes, according to the customes
and laws of this said land of Ireland, shall suffer paines of death,
as in cases of high treason; and also shall lose and forfeit unto the
King's highnesse, and to his heyres, Kings of this realme of Ireland,
all such his mannors, landes, tenements, rents, reversions, annui-
ties, and hereditaments, which they had in possession as owner, and
were sole seised in their own right, of, by, or in any title or meanes,
or in any other person or persons, had to their use of any estate of
inheritance, at the day of any such treason and offences by them
committed and done. And that also every such offendour shall lose
and forfeit to the King's highnesse, and to his said heyres, as well
all manner such estates of freehold, and interest for yeares of lands
and rents, as all the goods, cattels and debts, which they or any of
them had, at the time of their conviction or attaindour of, or for
any such offence; saving alway to every person and persons, and bo-
dies politique, their heyres, successors, and assignes, and to every
of them, other then such persons as shall be so convicted or attaint-
ed, their heyres and successors, and all other clayming to their use,
all such right, title, use, interest, possession, condition, rents, fees,
offices, annuities, commons and profites, which they or any of them
shall happen to have, in, to or upon any such manors, lands, tene-
ments, rents, reversions, services, annuities, and hereditaments, which
so shall happen to be lost and forfeited, by reason and occasion of any
of the treasons or offences above rehearsed, any time before the said
treasons or offences committed or done.

A. D.
1542.
Chap. 1.

High trea-
son by writ-
ing, deed,
print, or act
to occasion
disturbance to
his crown of
Ireland, in
name, stile,
&c.

The for-
feiture.

Saving the
rights of
others.

A. D.

1542.

C H A P. II.

An Act for gray Merchants.

Hides, &c.
not to be
bought with
intent to sell
again, but in
open market
or fair.

Penalty on
conviction,
being adjudg-
ed forefall-
ers.

If inconve-
nience ensue,
the deputy,
&c. may by
open procla-
mation in any
fairs or mar-
kets, make
this act or
part thereof
void.

Justices of
B. R. and of
the peace in
open sessions,
to inquire and
punish offend-
ers as fore-
fallers.

Not to en-
dure longer
than the last
day of next
Parliament.

FORASMUCH as divers merchants and other persons coveting and practising greatly their owne singular commodities and profites, and having little or no respect to the wealth of this land, have of late used to goe from towne to towne within this land, being no market townes, to buy hides, fells, checkers, fleges, yarne, linnen cloth, wooll and flocks, whereby the faires and markets within this land be greatly decayed, and the King's custome diminished, and every kinde of merchandise without cause reasonable brought to a great dearth, to the great hindrance and losse of the King's majestie, and of his faithful and true subjects of the same land. Wherefore be it enacted, ordeyned and established, by authoritie of this present Parliament, That no person ne persons, to the intent to sell the same againe, shall buy ne cause to be bought with in this land any hydes, fells, checkers, fleges, yarne, linnen cloth, wooll, or focke, in any other place or places, but only in the open market or fayre. And if that any person or persons doe otherwise, and be of the same duely convicted, that then every such person so convicted to be adjudged and deemed a forefaller of the King's market.

II. Provided alway, and be it enacted by authoritie aforesaid, that if any inconvenience, dammage, or hinderance doe, should, may grow, or come by any meanes of this present act, that then the lord deputie, the lord chauncellour, the lord treasurer, the vicetreasurer, the three chiefe judges, and the master of the rolls, of this land for the time being, or five of them at the least, whereof the lord deputie and lord chauncellour to be two of them, examining the circumstance of the same, shall have authority and power, by open proclamation to be made in any of the said markets or fayres, to discharge, adnihilate, and make voyde this present act, or such part thereof as they shall thinke good. And this present act, from and after the the said proclamation, so to be had and made, or as much thereof as they shall thinke good as aforesaid, shall be cleerly and utterly voyde and of none effect.

III. And also be it enacted by authoritie aforesaid, That the justices of the King's bench, and every justice of peace in open sessions, shall have full power and authoritie, by authoritie of this act, to enquire of and upon the offenders, and offences against the contents and purport of this said act and order, and to heare and determine the same, according to the lawes of this land, and to punish the said offenders, and to taxe like fines upon the same offenders, as though they were convicted of any forestalling of the King's markets, by the lawes of this land.

IV. Provided alwayes, that this act shall endure but till the last day of the next Parliament, to be holden within this realm or land, if

if it be not repealed, adnihilated, or made voyde before by proclamation as is above said.

A. D.

1542.

V. Provided alway, that this act, ne any thing therein conteyned, shall extend to any tanner or barker, within this realm, for the buying of any hides to be tanned or barked, so that they doe tanne or barke the same.

Not to extend to any tanner or barker, so as they do tan or bark the hides.

VI. Provided also, that this act, ne any thing therein conteyned, shall not extend to binde or charge any of the inhabitants of any county, citie, or borough towne, within this realme or land, unto such time as the tenour of this said act be proclaimed in the same county, citie, or borough towne. *Revived 11 El. cap. 5. and perpetuated.*

This act not to bind till proclaimed.

Revived and perpetuated 11 Eliz. 5.

C H A P. III.

An Act that the Plaintiff may abridge his Complaint in Assize.

FORASMUCH as assises, which have beene thought the most speedie remedie, be now by occasion of pleading of many barres to moities and parts of the lands put in view and plaint, greatly delayed, for difficulties and division of pleading; and one cause thereof is, because that the plaintifes in the assise in such plees to moyties and parts, cannot by the law abridge their complaints: For remedie whereof, be it enacted, That the plaintife in every assise from henceforth, may at his pleasure sever, and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in such like manner as he or they might doe, in case the plees in barre had beene made, and divided to any certaintie or number of acres, in the pleint, and that the pleint for the residue of the part or parts of the lands not abridged, shall be and stand good and effectuell in the law.

21 H. 8. 3. Eng.

Plaintiff in assize may abridge his plaint of any part whereto any bar pleaded, and yet good for the residue.

C H A P. IV.

An Act that Consanguinity or Affinity, being not within the fifth Degree, shall be no principal Challenge.

WHEREAS the King's obeyfant English subjects of this land, eyther by consanguinitie or affinitie, which is so universally spread betwixt them, by reason that they are inhabited in so little a compasse or circuit, and restrayned by estatute to marrie with Irish nation, and therefore of necessity must marry themselves together, so that in effect they all, for the most part, must be allyed together, either by consanguinitie or affinitie, at the least, within the ninth degree, and that by reason of the said causes, as well such as hath beene demaundants or plaintifes, as tenants or defendants, in actions, suits, plees or matters, and also the jurors in enquests and trials, upon the same empanelled, hath been greatly hindred, put to costes, and delayed sometime by quassing of the array, other times by remayning of the jury, by challenging of the array, or of the

The English dwelling in a narrow compass, and restrained by statute from marrying with the Irish, mostly allied together.

Mischief thence ensuing.

Consanguinity or affinity, not within the 5th degree, no principal challenge.

A. D.

1542.

polles for the sheriffe, undersheriffe, coroner or coroners, or other officer or officers, which retourned or arrayed the same enquests, or his or their wives within the ninth degree. For remedy whereof, be it enacted and established by this present Parliament, and by authoritie of the same, That from henceforth consanguinitie or affinitie, being not within the fifth degree betwixt the juror empanelled, or or at any time hereafter to be empanelled, in any enquest or triall, whatsoever it bee, or his wife, or any of the parties to the same enquest or trial, or any the wife of the same parties, or betwixt the sheriffe or sheriffes, under sheriffes, coroner or coroners, or other officer or officers, that shall serve, returne, or array any panell or jury, in any enquest or triall, or the wife of any of them, and any of the parties to the same enquest or triall, or any the wife of any of the same parties, shall be no principall challenge.

C H A P. V.

An Act that maketh it Felony to any Man to run away with his Master's Casket.

21 H. 8. 7.

Eng.

Servants going away with their masters goods, delivered to them to keep, imbezling, or converting them to their own use, with intent to steal the same, contrary to the trust reposed in them, if to the value of 40s. felony.

WHERE before this time, divers aswell noble men, as other the King's subjects, have upon confidence and trust delivered unto their servants their caskets and other jewels, money, goods and cattalls, safely to be kept to the use of their said masters or mastresses, and after such delivery the said servants hath withdrawn themselves, and gone away from their said masters and mastresses, with the said caskets, jewels, mony, goods, cattalls, or part thereof, to the intent to steal the same, and defraude their saide masters and mastresse thereof. And sometime being with their said masters and mastresses, have converted the said jewels, money and other cattalls, or part thereof to their own use, which misbehaviour so done, was doubtful in the common lawe, whether it were felony or not: And by reason thereof, the foresaid servants have beene in great boldnesse to commit such like offences. Be it therefore enacted, ordeyned and established, by the King our soveraigne lord, by the assent of the lords spirituall and temporall, and the commons of this present Parliament, assembled by authoritie of the same; that all and singular such servants, to whom any such caskets, jewells, money, goods or cattalls, by his or their said masters or mastresse, shall from henceforth so be delivered to keep, that if any such servant or servants withdraw him from their said masters and mastresses, and goe away with the said caskets, jewels, money, goods, or other cattells, or any part thereof, to the intent to steal the same, and defraud his or their said masters and mastresses thereof, contrary to the trust and confidence to him or them put, by his or their said masters or mastresses, or else being in the service of his said master or mastresse, without assent or commaundement of his master or mastresse, hee or shee imbezell the same caskets, jewells, money, goods, or cattells, or any part thereof, or otherwise convert the same to his

owne

own use, with like purpose to steale it, that if the said caskets, jew-
ells, goods, and cattells, that any such servant shall goe away with,
or which he or shee shall embefill with purpose to steal it, as is
aforesaid, be of the valour of fortie shillings or above, that then the
same false, fraudulent, and untrue act and demeanour from hence-
forth shall be deemed and adjudged felonie; and hee or they, so of-
fending, to be punished as other felons be punished for felonies com-
mitted by the course of the common lawe.

A. D.

1542.

*Standing
mute, &c.
ousted of cler-
gy, by 2 G.
1. 17.*

II. Provided alway, that this act, or any thing herein conteyned,
shall not in any wise extend or be prejudiciall to any apprentice or
apprentices, nor to any person within the age of eightene yeares,
going away with his masters goods or jewells, or otherwise convert-
ing the same to his or their own uses, during the time of their ap-
prenticeshippe, or being within the same age of eightene yeares, but
that every apprentice or apprentices, such person or persons being
within the said age, doing or offending contrarie to this present act,
shall bee and stand in like case, as they and every of them were be-
fore the making of this act.

*Not to ex-
tend to ap-
prentices, or
any within 18
years of age.*

C H A P. VI.

An Act for Marriages. Rot. Parl. cap. 7.

WHEREAS heretofore the usurped power of the bishoppe
of Rome hath alwayes entangled and troubled the mere
jurisdiction and regal power of this land of Ireland, and also in-
quieted much the subjects of the same by his usurped power in
them: as by making that unlawful, which by God's word is law-
full, both in marriages and other things, as hereafter shall appeare
at more length: till now of late in our soveraigne Lord's time, which
is otherwise by learning taught, then his predecessours in times past
of long time hath beene, and hath so continued the same, whereof
yet some sparkles bee left, which hereafter might kindle a great fire,
and so remayning, his power not to seeme utterly extinct: there-
fore it is thought most convenient to the King's highnesse, and to
his lords spirituall and temporall, with the commons of this land
assembled in this present Parliament, That two things specially for this
time be with diligence provided for, whereby many inconveniences
hath ensued, and many moe evils mought ensue and follow: as where
heretofore diverse and many persons after long continuance together
in matrimonie, without any allegation of eyther of the parties,
or anie other at their marriage, why the same matrimonie should not
bee good, just, and lawfull, and after the same matrimonie solemnized
and consummate by carnall copulation, and also sometimes fruite of
children ensued of the same marriage, have neverthelesse by an un-
just law of the bishop of Rome, which is, that upon pretence of a
former contract made and not consummate by carnall knowledge, for
prooffe whereof two witnesses by that law were onely required, beene
divorced and separated contrarie to God's law; and so the true matri-

*32 H. 8. 38.
Eng.*

2 & 3 E. 6.

23. Eng.

*This act re-
pealed 3 & 4
Ph. & M.*

Rev. 2 Eliz.

*1 Ir. as to so
much only as
concerns de-
grees of con-
sanguinity.*

*The Pope's
usurped pow-
er, making
that unlawful
which by
God's word
is lawful, not
utterly ex-
tinct.*

*Two evils
provided for.*

*Divorces on
pretence of
former con-
tract.*

A. D. 1542. Chap. 6. monie both solempnised in the face of the church, and consummate with bodily knowledge, and confirmed also with the fruit of children had betwixt them, cleerely frustrate and dissolved: further also, by reason of other prohibitions then God's law admitteth, for their lucre by that court invented, the dispensation whereof they alwayes reserved to themselfe, as in kindred or affinitie betwixt cosen germanes, and so to fourth and fourth degree, carnall knowledge of any of the same kinne or affinity, before in such outward degrees, which all were lawfull, and be not prohibited by God's law, and all because they would get money by it and keepe a reputation to their usurped jurisdiction, whereby not onely much discord be betwixt lawfull married persons hath (contrary to God's ordinance) arisen, much debate and suit at the law, with the wrongfull vexation and great dammage of the innocent partie hath beene procured, and many just marriages in doubt and danger of undoing, and also many times undone, and lawfull heyres disenherited, whereof they had never else, but for his vaine glorious usurpation, beene moved any such question sithence freedome was in them was given us by God's law, which ought to be most sure and certaine: but that notwithstanding, marriages have beene brought into such an uncertaintie thereby, that no marriage could be so sure knitte and bounden, but it should lye in eyther of the parties powers and arbitre, casting away the feare of God, by meanes and compasse to prove a precontract, a kindred and allyance, or carnall knowledge, to defeat the same: and so under the pretence of these allegations afore rehearsed to live all the dayes of their life in detestable adulterie, to the utter destruction of their owne soules, and the provocation of the terrible wrath of God upon the places where such abominations were used and suffered: be it therefore enacted by the King our soveraigne lord, and the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, That from the first day of July last past, in the year of our Lord God 1540, all and every such marriage as within this Church of Ireland hath or shall be so contracted betwixt lawfull persons, as by this act we declare all persons to be lawfull, that be not prohibited by God's law to marry, such marriages being contracted and solempnized in the face of the church, and consummate with bodily knowledge, or fruit of children, or child, being had therein betwixt the parties so married, shall be by authoritie of this present Parliament aforesaid deemed, judged, and taken to be lawfull, good, just, and indissoluble, notwithstanding any precontract or precontracts of matrimonie, not consummate with bodily knowledge, which eyther of the persons so married, or both, shall have made with any other person or persons before the time of contracting that marriage, which is solempnized or consummate, or whereof such fruit is ensued or may ensue as afore. And notwithstanding any dispensation, prescription, law, or other thing graunted or confirmed by act or otherwise. And that no reservation or prohibition (God's law except) shall trouble or impeach any

Dispensation
of prohibi-
tions invented
by the court
of Rome.

Marriages be-
tween persons
not prohibi-
ted by God's
law to marry,
and solempn-
ised in face
of the church,
and consum-
mated shall be
good, not-
withstanding
precontract
not consum-
mated; and
notwithstand-
ing any dis-
pensation, &c.

No reserva-
tion or prohi-
bition (God's
law excepted)
shall impeach
any marriage
without the
levitical de-
grees.

28 H. 8. 2.

No process,
plea or allega-
tion in any spi-

any marriage without the levitical degrees. And that no person of what estate, degree, or condition soever he or shee be, shall after the first day of the moneth of July aforesaid be admitted in any of the spiritual courts within this the King's land of Ireland, or any other his Grace's lands and dominions, to any proces, plees or allegations contrary to this foresaid act.

A. D.

1542.

ritual court to be admitted contrary to this act.

C H A P. VII.

An Act for all Lords to Distraine upon the Lands of them holden, and to make their Avowrie, not naming the Tenant but the Land. Rot. Parl. cap. 8.

WHERE aswell the noble men of this land, as divers other persons by fines, recoveries, graunts, and secret feoffements and leases made by their tenants, to persons unknowne of the lands and tenements holden of them, have put from the knowledge of their tenants, upon whom they should by order of the law make their avowries for their rents, customes, and services, to their great losses and hindrances. Be it therefore enacted ordeyned and established by authoritie of this present Parliament, That wheresoever anie mannours, landes, tenements or other hereditaments, bee holden by anie manner person or persons by rents, customes or services that if the lord of whom any such mannours, lands, tenements, or hereditaments be so holden, distraine upon the same mannours, lands, or tenements for any such rents, customes or services, and replevin thereof to be sued, that the lord of whom the same landes, tenements, or hereditaments bee so holden, may avow, or his bayliffe, or servant make cognisance or justifie for taking of the said distresses upon the same landes, tenements, or hereditamentes so holden, as in landes or tenementes within his fee or feignorie, alleaging in the said avowry, cognisance, and justification, the same manours, landes, tenementes, to bee holden of them without naming of any person certain to bee tenant of the same, and without making any avowrie, justification, or cognisance upon any person certain; and likewise the lord, bayliffe, or servant, to make avowrie, justification, or cognisance in like manner and forme, upon every writte sued of second deliverance.

21 H. 8.
19 Eng.

Upon a replevin the lord may avow, or his bayliffe make cognisance, or justifie the distraining upon the lands as within his fee, without naming any person certain to be tenant.

So upon every writ of second deliverance.

II. And also be it enacted by the same authoritie, that every avowant, and every other person and persons, that make any such avow, justification or cognisance, as bayliffe or servant to any person or persons in any replegiare, or second deliverance, for rentes, customes, services, or for damages feasaunt or other rent or rents upon any distress taken in any landes or tenements, if the same avowry, cognisance or justification bee found for them, or the plaintifes in the same bee non suite, or otherwise barred, that then they shall recover their damages and costs against their said plaintifes, as the said plaintife should have done or had, if they had recovered in the replegiare or second deliverance found against the said defendants: and be it also

Avowant recovering shall have costs and damages.
7 H. 8. 4.
Eng.
33 H. 8.
13. Ir.

Both plaintiff and defendant in such writs shall have

A. D. 1542. ordeined, that the said plaintifes and defendautes in the said writtes of replegiare or writtes of second deliverance, and in everie of them shall have like plees, and like ayd preyers in all such avowries, cognisaunce and justifications (plees of disclaim only excepted) as they might have had before the making of this act, and as though the said avowrie, cognisaunce and justification had beene made after due order of the common law.

like pleas(ex-
cept disclaim-
er) like aid
prayer and
joinder aid,
as at common
law. 25 G.
2. 13.

III. And it is further enacted by the said authoritie, that all such persons as by the order of the common law may lawfully joyne to the plaintifes or defendautes in the said writtes of replegiare or second deliverance, aswell without proces as by proces shall from henceforth joyne unto the said plaintifes or defendaunts, aswell without proces as by proces, and to have like plees, and like advantage in all things (disclaimer onely excepted) as they might have done by order of common law before the making of this act.

C H A P. VIII.

An Act for Capacities. Rot. Parl. cap. 9.

Religious
persons pro-
fessed, after
suppression,
&c. of their
houses, may
purchase, sue
and be sued
as other sub-
jects, and en-
joy all lawful
things falling
to them after
deraignment,
in as ample
manner as if
never pro-
fessed.

BE it enacted by the authoritie of this present Parliament, that Sir John Rawson Knight, late priour of Saint John's Jerusalem in Ireland, and all other religious persons, aswell men as women, professed, of what order, rule or habite soever they were, which bee or heereafter shall bee put at their liberties from daunger, servitude and condition of their religion and profession whereunto they were professed by reason of suppression, dissolving, forfeiture by attainder, rendering or otherwise given up to the hands of the King's majesty: or any other the same monasteries, abbeyes, priories, or other religious houses or places wherein the same religious persons were professed, shall by authoritie of this present parliament, from and after the first day of the same Parliament, and from and after the time that they were and shall be put in such libertie free libertie to purchase and take to them and their heyres in fee simple, fee taile, or for terme of life, for yeares, or at will, mannours, lands, tenements, rents, annuities or other hereditaments, and things whatsoever they be, in like manner and forme, as though they nor any of them had never been professed nor entered into any such religion. And furthermore, that they the same religious persons, and every of them, shall be made able by authoritie of this present act to sue and to be sued in all manner of actions, plaints and suits whatsoever they be, of and for any matter or cause growing since and after the time of their severall deraignements or departing out of their religion, in all courts and places within this land, as other the King's subjects. And furthermore, that they and every of them shall and may from henceforth use and exercise, receive, take and enjoy all and every lawfull thing and things to be growing, fall or happened to them or any of them after the said deraignment or departing out of their religion, in as large and ample maner and forme and condition, as if they had

never been professed nor entred into religion, the same profession, or religion, or any law, custome, or use within this land, to the contrarie thereof in any wise notwithstanding.

A. D.

1542.

II. Provided alway, and be it enacted by authority aforesaid, that none of the same religious persons shall or may at any time hereafter be taken, deemed, or judged, for or as heyre or heyres inheritable to any person or persons, to any purpose, respect, construction, or intent in the law, nor that they, nor any of them, by vertue of this act be received, admitted, or deemed able in the law, to demaund, challenge, receive, or take any manors, lands, tenements, or hereditaments, or any other thing or things, by reason of or for any former title, right, interest, matter or cause, had, made, or grown, to any respect or purpose before their said severall deraignements or departing out of their religion; nor that any of the said religious persons, being priests, or such as hath avowed religion at xxi. yeares of age, or above, and thereto then consented, continuing in the same any while after, not duely proving by witnesse, or other lawfull meanes, some unlawfull cohercion or compulsion done to them or anie of them, for making of any such vow, or constrayning them to remaine in their religion, be inabled by vertue of any words, clause, or sentence, before in this act expressed, to marrie or take any wife or wives, but that they and every of them be cleerly excluded and put from the same to all intents and purposes: any thing before in this act to the contrarie hereof in any wise notwithstanding.

But not to be heirs to any person,

Nor able to take lands, &c. by any title before such deraignment. 5 & 6 E. 6. 13. Eng.

Priests, and such as avowed religion, at or above 21, and continuing in the same any while after, not enabled to marry, unless proof of compulsion, 31 H. 8. 6. Eng.

C H A P. IX.

An Act for Servants Wages. Rot. Parl. cap. 11.

FORASMUCH as prices of victualls, cloth, and other necessities for labourers, servants at husbandry, and artificers, yearly change, as well sometime by reason of dearth and scarceness of corne and victuall as otherwise, so that hard it is to limit in certain, what wages servants at husbandry should take by the yeare, and other artificers and labourers by the day; by reason whereof they now aske and take unreasonable wages within the land of Ireland. For reformation whereof, be it enacted by authority of this present Parliament, That the justice of Peace in every county within this land of Ireland, yearly in their sessions to bee holden within one moneth next after the feast of Easter, and one moneth next after the feast of Saint Michael the Archangel, shall make proclamations by their discretion, haveing respect to such prices as victualls, cloth, and other necessities then shall be at, how much every mason, carpenter, sclaunter, and every other artificer and labourer, shall take by the day, as well in harvest season, as any other time of the yeare, with meate and drinke, and how much without meate and drinke, betwixt both the said sessions; and also at the sessions to bee holden next after the feast of Easter, how much

5 Eliz. 4. Eng. Justices of peace yearly, at Easter and Michaelmas sessions, by discretion, having respect to the price of victualls and necessities to proclaim wages of artificers and labourers.

And at Easter sessions, of servants at husbandry.

Obeded, on forfeiture of the thing taken, and imprisonment.

A. D. 1542. every servant at husbandry shall take by the yeare following, with meate and drinke; and that every of them shall obey such proclamations from time to time, as a thing made and established by act of Parliament for a law in that behalfe, upon paine of forfeiture, every one of the said carpenters, scclauters, artificers, labourers, and servants, that shall take any thing contrarie to the said proclamation or proclamations, the thing so taken, and imprisonment of their bodies, by the discretion of the said justice; and that justice of peace at any sessions shall enquire, heare, and determine the same offences, and thalffendell of the said forfeiture to be to the King's highnesse, and thother halfe to him or them that shall give information of the same forfeiture; and that all and every act before this time made concerning the limitation of wages for the said servants, artificers, and labourers, bee in that point onely voyde and of none effect within this land; and this act to endure till the next Parliament within this land to be holden.

Justices of peace at sessions to hear and determine the offences.

All former acts limiting wages, to be in that point only void.

Revived, and made perpetual,
11 Eliz.
5 Sess. 1.

C H A P. X.

An Act for Jointenants. Rot. Parl. cap. 12.

31 H. 8. 1.
Eng.
Dy. 98. Pl.
55.
32 H. 8. 32.
Eng.
9 Will. 3. 12.

Partition could not be made without mutual consent.
The mischief.

FORASMUCH as by the common lawes of this land, diverse of the King's subjects being seised of mannours, lands, tenements, and hereditaments, as joynte tenaunts, or as tenaunts in common, with other of anie estate of inheritance in their owne right, or in the right of their wives, by purchase, discent, or otherwise, and every of them so being joynt tenants, or tenants in common, have like right, title, interest, and possession in the same manours, landes, tenements, and hereditamentes, for their partes or portions, joyntly, or in common, undividedly together with other, and none of them by the lawe doth or may knowe their severall partes or possessions in the same, or that, that is his or theirs, by it selfe undivided, and cannot by the laws of this land otherwise occupie or take the profites of the same, or make any severaunce, division, or partition thereof, without other of their mutual assentes and consentes; by reason whereof divers and many of them, being so jointly and undividedly seised of the said mannours, landes, tenementes, and hereditamentes, oft times of their perverse, covetouse, and malicious mindes, and willes, against all right, justice, equitie, and good conscience, by strength and power hath not onely cutte and fallen downe all the woodes and trees growen upon the same, but also have extirped, subverted, and pulled downe and destroyed, all the houses, edifices and buildings, medowes, pasture, commens, and the whole commodities of the same, and have taken and converted them to their own uses and behoofes, to the open wrong and disherison, and against the mindes and willes, of other holding the same mannours, landes, tenementes, and hereditamentes, jointly or in common with them, and they have beene alwayes without assured remedie for the same:

same: bee it therefore enacted by the King our most dread soveraign lord, and by the assent of his lords spirituall and temporall, and by the commons in this present Parliament assembled, That all joynt tenants and tenants in comen, that now bee, or hereafter shall bee, of any estate or estates of inheritance in their owne rightes, or in the right of their wives, of any mannours, landes, tenementes, and hereditamentes within this land of Ireland, shall and may bee coacted and compelled by vertue of this present act to make partition betweene them of all such mannours, landes, tenementes and hereditamentes, as they now holde, or hereafter shall hold, as joynt tenants or tenants in common, by writte *de participatione facienda*, in that case to bee devised in the King our soveraign lord's court of chancerie of this land, in like maner and forme as coparcioners by the common lawes of this land have been and are compellable to do, and the same writte to be pursued at the common law.

A. D.
1542.
Chap. 10.

Remedy.
Jointenants
and tenants in
common may
be compelled
to make par-
tition by writ,
as Coparceners
by the com-
mon law, of
*Participatione
facienda*.

II. Provided alway, and be it enacted, That every of the said joynt tenants or tenants in common, and their heires, after such partition made shall and may have ayde of the other, or of their heires, to the intent to deraign the garraunt paramount, and to recover for the rate as is used betwixt coparcioners after partition made by the order of the common law; any thing in this act conteyned to the contrary notwithstanding.

But may af-
terwards have
aid of each
other to de-
raign the war-
ranty para-
mount, &c.
6 Anne 3.

III. And bee it further enacted by the authoritie aforesaid, That all joynt tenants and tenants in common, and everie of them, which now holde, or hereafter shall holde, joyntly, or in common, for tearme of life, yeare or yeares, or joynt tenants or tenants in common, where one or some of them have or shall have estate or estates for terme of life or yeares, with the other that have or shall have estate or estates of inheritance or freehold in any mannours, lands, tenements, or hereditaments, shall and may be compellable from henceforth by writ of partition, to bee pursued out of the King's court of chauncerie upon his or their case or cases, to make severaunce and partition of all such mannours, landes, tenements, and hereditaments, which they hold joyntly or in common for terme of life or lives, yeare or yeares, where one or some of them holde joyntly or in common for terme or life or yeares with other, that have an estate or estates of inheritance or freehold.

Partition
may be made
where one
has inhe-
ritance, the
other for life
or years.

IV. Provided alway, and be it enacted, That no such partition, nor severance, hereafter to be made by force of this act, bee nor shall be prejudiciall or hurtfull to any person or persons, their heyres or successours, other than such which bee parties or privie unto the said partition, their executors or assignes.

Such parti-
tion not to
prejudice any
but parties or
privies.

A. D.

1542.

C H A P. XI.

An Act for Recoverie in avoyding Leases. Rot. Parl. cap. 13.

21 H. 8. 15.
Eng.
 6 E. 1. 11.
Eng.

Termor
 may, for his
 term only,
 falsify feigned
 recovery.
 As tenant of
 the freehold
 may at com-
 mon law,
 where neither
 privy or party.

And hold
 against reco-
 verer.

Recoveror
 shall have like
 remedy as
 lessor for
 rents, servic-
 es, and waste.

Persons
 having statute
 staple, mer-
 chant, or exe-
 cution by *El-*
git may like-
 wise falsify.

WHERE afore this time diverse persons have made leases of their mannours, landes, tenements, and other hereditaments, sometime by their indentures, and sometime without writing, to other persons for terme of yeares, taking of them great fines for their incomes of the same leases, and after the same lessours, their heyres or assignes, have caused and suffered recoveries to be had against them in the court of our soveraigne lord the King, and in other lords courts within this land, upon fained and untrue titles by craft and covin to put the said termours from their saide termes, and after such recoveries had the same recoverers by reason of such recoveries and judgment have entred into the same mannours, landes, tenements, and other hereditaments, so to ferme letten, and thereof have expelled the said farmours contrary to their said leases, covenants, and agreements; and because it was doubted to some persons, whether the saide termours might falsifie such recoveries or not; be it therefore enacted by the King our soveraigne lord with the assent of the lords spirituall and temporall and the commons in this present Parliament assembled, and by the authoritie of the same, That all such termours shall and may falsifie for his terme onely such recoveries, as well heretofore hadde, as hereafter to bee had, in such wise and forme as a tenaunt of a freehold shall and may doe by the course of the common lawe, where such tenaunt of freehold was neyther privie nor parte to the same recoverie, and that the same termours, their executors and assignes, notwithstanding such recoveries so had, shall retain, holde, and enjoy the said termes according to their said leases against all such recoverers, their heirs and assignes, as they should or might have done against the said lessors, if such recoverie had not beene had ne suffered; and that the same recoverers, their heirs and assignes, after such recoverie so had, shall have like remedie against the said termers, their executors and assignes, by avowrie or action of debt for the rentes and services reserved upon the same leases, being due after the same recoveries, and also like action against them for wast done after the same recoveries so had, in like manner and fourme as the said lessors should or might have had, if the same recoveries had never beene had.

II. And also bee it further enacted by the authority aforesaid, That no manner of statute of the staple, statute merchant, nor execution by *elegit*, bee hereafter avoyded or in any wise made frustrate by meanes of any such fayned recoverie; but that all persons having any lands, tenements, or other hereditaments in execution, or being intituled to have execution of any mannours, landes, or tenements, by any such meanes, shall have by force of this

statute

statute like remedie to avoyd and falsifie the same recoveries, as before is ordeined and provided for the lease for terme of yeares.

A. D.

1542.

C H A P. XII.

An Act for Tythes. Rot. Parl. cap. 15.

WH E R E divers and many persons inhabiting in sundrie countries and places of this land of Ireland, not regarding their duties to Almighty God, and to the King our soveraign lord, but in few years past more contemptuously and commonly presuming to offend and to infringe the good and wholsome lawes of this land of Ireland, and gracious commaundements of our said soveraign Lord, then in times passed hath been seen or known, have not letted to substract and withdraw the lawfull and accustomed tythes of corne, hay, pasturages, and other sort of tithes and oblations commonly due to the owners, proprietaries, and possessioners of the parsonages, vicarages, and other ecclesiasticall places of and within the said land of Ireland; being the more encouraged thereunto, for that that divers of the King's subjects being lay persons, having parsonages, vicarages, and tythes, to them and to their heires, or to them and to the heires of their bodies lawfully begotten, or for tearme of life or yeares, cannot by the order and course of the ecclesiasticall laws of this land sue in any ecclesiasticall court for the wrongfull withholding and detaining of the said tithes or other duties, nor cannot by the order of the common lawes of this land of Ireland have any remedie against any person or persons, their heires or assignes, that wrongfully withholdeth and detayneth the same; by occasion whereof much controverfie, suit, variance, and discord is like to ensurge and ensue amongst the King's subjects, to the great detriment, damage, and decay of many of them, if convenient and speedie remedie thereof be not had and provided: wherefore it is ordained and enacted by our said soveraign lord the King with the assent of the lords spirituall and temporall and the commons in this present Parliament assembled, and by the authority of the same, That all and singuler persons of this his said land, of what estate, degree, or condition soever he or they be, shall fully, truly, and effectually divide, set out, yeeld, or pay all and singuler tythes and offerings afore said, according to the lawfull customes, and usages of the paroches and places, where such tythes or duties shall growe, arise, come, or be due; and in case that it shall happen any person or persons of his or their ungodly and perverse will and mind to detain or withhold any of the said tithes or offerings, or part or parcell thereof, then the person or partie, being ecclesiasticall or lay person, having cause to demaund or to have the said tythes or offerings, being thereby wronged or grieved, shall or may convent the person or persons so offending before the ordinarie, his commissarie, or other compe-

32 H. 8. 7.
Eng.
27 H. 8. 20.
Eng.

Lay persons could not by the laws ecclesiasticall sue for tithes in the ecclesiasticall court, nor had any remedy by common law.

Tithes and offerings shall be truly and effectually set out or paid according to usage of the place where they grow due.

Detainers thereof may be convened by the lay or

A. D.
1542.
Chap. 12.

ecclesiastical
owners before
the ordinary,
&c. who shall
examine sum-
marily accord-
ing to ec-
clesiastical
laws, and
sentence.

And upon
appeal shall
adjudge, and
compel the
appellant to
pay reasona-
ble costs;
taking security
for restoring
if adjudged
for appellant.

tent minister or lawfull judge of the place, where such wrong should bee done according to the ecclesiasticall lawes; and in everie such cause or matter of suit the same ordinarie, commissarie, or other competent minister or lawfull judge, having the parties or their lawfull procurators before him or them, shall and may by virtue of this act proceed to examination, hearing, and determination of everie such cause or matter ordinarily of someralie according to the course and proceffe of the said ecclesiasticall laws, and thereupon may give sentence accordingly. And in case that anie of the parties for anie cause or matter concerning that suit doe appeale from the sentence, order, and definite judgment of the said ordinarie or other competent judge, as is aforesaid, then the same judge by vertue of the same act forthwith upon such appellation made shall adjudge to the other partie the reasonable costs of his suite therein before expended, and shall compell the same partie appellaunt to satisfie and pay the same costes so adjudged, by compulsarie proceffe and censoures of the said laws ecclesiasticall, taking suretie of the other partie, to whom such costes shall be adjudged and payde, to restore the same costes to the partie appellaunt, if after the principall cause of that suit of appeal shall be adjudged against the same partie, to whom the said costes shall be yeelded; and so everie ordinarie or other competent judge ecclesiasticall by vertue of this act, shall adjudge costes to the other partie upon everie appeale to bee made in any suite or cause of subtraction or detention of any tythes or offerings, or in any other suite to bee made for or concerning the dutie of such tythes or offerings.

Persons re-
fusing to pay,
shall, upon
certificate of
the ecclesiasti-
cal judge, be
committed by
two justices
of peace of
the same shire
(*quor. unus*)
to next goal,
till sureties
found.

II. And further be it enacted by the authority aforesaid, That if any person or persons, after such sentence definitive given against them, obstinately and wilfully refuse for to pay their tythes or duties, or such summes of money so adjudged, wherein they be condemned for the same, that then two justices of peace of the same shire, whereof one to be of the *quorum*, shall have authority by this act upon information, certificate or complaint, to them made in writing by the said ecclesiastical judge that gave the same sentence, to cause the same partie so refusing to be attached and committed to the next goale, and there to remain without bayle or mainprise, till he or they shall have found sufficient sureties, to be bound by recognisance or otherwise before the same justice to the use of our soveraign lord the King to performe the same definitive sentence and judgment.

None com-
pellable to
pay tithes for
lands, &c. by
the laws or
statutes of
Ireland, dis-
charged of
tithes.

III. Provided alwayes, and be it enacted by the authoritie aforesaid, That no person ne persons shall be sued or otherwise compelled to yield, give, or pay any manner of tythes for any mannors, lands, tenements, or hereditaments, which by the laws or statutes of this land of Ireland are discharged, and not chargeable with the payment of any such tythes.

IV. Bee

IV. Bee it further enacted by the authority aforefaid, That in all cafes where any perfon or perfons, which now have, or which hereafter fhall have, any eftate of inheritance, freehold, terme, right, or intereft of, in, or to any parfonage or vicarage, portion, penfion, tythes, oblations, or other ecclefiaticall or spirituall profites, which now bee, or which hereafter fhall bee, made temporall, or admitted to bee, abide, and goe to, or in temporall handes, or lay ufes and profites, by the lawes or ftatutes of this land of Ireland, fhall hereafter fortune to be diffeifed, deforced, wronged, or otherwise kept or put from their lawful inheritance, eftate, feifin, poffeffion, or occupation, tearme, right or intereft of, in, or to the fame, or of, in, or to any parcell thereof, by any other perfon or perfons clayming or pretending to have intereft or title in or to the fame: that then, in every and all fuch cafes or cafe, the perfon or perfons fo diffeifed, deforced, or wrongfully kept, or put from his or their right or poffeffion, as is afore rehearfed, their heyres, wives, or fuch other, to whom fuch injurie or wrong fhall be done or committed, fhall and may have their remedie in the King's temporall courts, or in other courts, as the cafe fhall require, for the recoverie, getting or obtaining of fuch inheritance, eftate, freehold, feifin, poffeffion, terme, right, or intereft, by writs originall of *precipe quod reddat*, *affife de novel diffeifin*, *morte dauncefter*, *quod ei deforreat*, writs of dower or other writs originall, as the cafe fhall require, to be devised and graunted in the King's chauncerie, of every fuch parfonage, vicarage, portion, penfion, or other profit called ecclefiaticall or spirituall, fo to be demaunded according to the nature and caufe of the fuit thereof, in like manner and forme as they fhould, ought, or might have had of or for landes, tenementes, and other hereditamentes, in fuch manner to be demanded, and that writs of covenant and other writs for fines to be levied, and all other affurances to be had, made, or conveyed of any fuch parfonage, vicarage, portion, penfion, or other profite, called ecclefiaticall or spirituall, as is aforefaid, fhall be hereafter devised and graunted in the faid chaunceries, according as hath been used for fines to bee levied, and affurances to bee had, made, or conveyed, of landes, tenementes, or other hereditamentes. And that all judgments to bee given upon any of the faid writs originall, fo to bee devised and graunted, of or for any the premisses, or any of them, and all fines to be levied and knowledged in any of the King's faid courts thereof, fhall bee of like force and effect in the law to all intents and purpofes, as judgments given and fines levied of landes, tenements, and hereditaments in the fame courts upon writs originall, therefore duely purfued and prosecuted: Albeit no fuch forme of writs originall out of the faid court of chauncery have heretofore proceeded or beene awarded.

V. Provided alwayes, that this laft act fhall not extend nor bee expounded to give any remedie, caufe of action, or fuit in the courts temporall againft anie perfon or perfons, which fhall refufe,

A. D.
1537.
Chap. 12.

Persons having inheritance, freehold, term, right, or interest in tythes, &c. made temporal, or admitted to be to lay uses, if disseised, &c. shall have like remedy in the temporal or other courts as the case requires, by writ original, as for lands, &c.

Writs of covenant and other writs for fines and other assurances of such ecclesiastical profits, and judgments thereon, and fines levied thereof, shall be of like effect, as of lands, &c.

Although no such form of writs original, heretofore awarded.

A. D. 1542. <sup>But the re-
medy for the
refusing to
pay tithes,
shall be in the
court eccle-
siastical, and
not other-
wise.</sup> or denie to set out his or their tythes, or which shall detain, withhold, or refuse to pay his tythes or offerings, or any parcell thereof: but that in all such cases the person or partie being ecclesiasticall or lay person, having cause to demaund or to have the said tythes or offerings, and thereby wronged or grieved, shall take and have their remedie for their said tythes or offerings in everie such case in the spirituall courts, according to the ordinance in the first part of this act mentioned, and not otherwise, any thing here exprest to the contrarie notwithstanding.

C H A P. XIII.

An Act for Attournements. Rot. Parl. cap. 16.

7 H. 8. 4.
Eng.

Recoverers
had no reme-
dy by com-
mon law to
compell at-
tornment, or
for their rents,
services, or
advowsons.

WHEREAS diverse, as well noblemen as other the King's subjects, have suffered recoveries against them, and divers their mannours, lordships, lands, and tenements, for the performance of their wills, or for the suretie of their wives joynters, or for the joynter of sonnes and heyres apparent, and their wives, or for any other person or persons, according to their covenants and agreements: and those persons, that so have recovered the said mannours, by the course of the common law had not remedie, nor may have, to compell the fermour, freeholders, and tenants, which held of the same manors by rents, services, or customes, to attorne to them, nor could by the order of the law attaine to the rents, services, or customes, if they were denied by distresse or action, without they could once attaine to the possession of the rents, services, and customes, by paying or doing the said rents, services, or customes by the same freeholders, fermours and tenants; which to doe divers and many of them have often times refused, and yet doe, to the great offence and charge of their conscience, not onely to the disinherittance of the said recoverers, but also in breaking of the last wills of them, against whom such recoveries is had; and also to the disinherittance of the said husbands, wives, and other, to whose use the same recoveries was so had. Also, if there were any advowson, appendant to any of the said mannours, the same advowson had fallen void, and a stranger had presented, the said recoverers, nor they to whose use the same recoverie was had, had no remedie for the same disturbance, and sometime thereby they have been disinherited.

Recoverers
may distrain,
avow, justify,
have *Quare
impedit*, as
those against
whom the re-
coveries had,
should have
done.

II. Bee it therefore enacted by this present Parliament, and by the authority of the same, That the recoverers in all such recoveries, their heires and assigns, may from henceforth distrain for the said rents, services, and customes, so being due and unpaide, and make avowrie or justifie the same, as those persons, against whom the said recoverie was had, should have done, if the said recoverie had not beene had: and also have like remedie for the recoverie of the said rent, services, and customes by avowrie, and also *quare impedit* for the said advowson, if any disturbance bee made, as those persons, against

against whom the said recoveries were had, might or should have had, by the course of the common lawe, afore the said recoverie, if any such rent, services, or customes had been denied them, or any such disturbance had, bee had, in their times; and also that every avowant, and any other person and persons, that maketh avowrie, connyfance or knowledge, or justifie as baylife, to any other person or persons, in any replegiare, second deliverance for any rent, custome, or service, if their avowrie, connifance, or justification, bee found for them or the pleintifes in the said actions, otherwise barred, shall recover their dammages and costs that they have susteyned, as the pleintife should have done, if they had recovered in the said replevins.

A. D.

1542.

The avowant, &c. recovering shall have costs.
33.H.8.7.Ir.

C H A P. XIV.

An Act for erecting of Vicarages. Rot. Parl. cap. 6.

WHERE as well the church of Kilmaynam is a parish church and hath been appropriated and united unto the late hospitall of Saint John's Jerusalem, within this land of Ireland, as also diverse other parish churches within the said land, likewise appropriated to the said late hospitall, and to other monasteries, religious houses and hospitals, now dissolved, having no vicar, endowed within the same parish churches, within which parish churches divine service was done, maintayned and kept, and the cure served by the late religious persons of the same hospitall, monasteries, and religious houses. And forasmuch as the said hospitall, monasteries, or religious houses, be now lawfully and justly dissolved, and comen to his Majesties hands, whereby there is no person certain appointed to doe, maintain, or keep the same cure, minister sacraments and sacramentals to the parishioners within the same parishes, and every of them: wherefore if it might please the King's highnesse, it were convenient that one able person should be appointed, and limited within every of the said parish churches, for and to the intent afore rehearsed, in consideration whereof, and to the intent that the King's subjects, inhabiting within every of the said parishes, should be hereafter, from time to time, instructed with the true, perfect, and sincere word of Almighty God, and to the intents aforesaid, at the humble petition and suite of the King's most obedient and loving subjects, the inhabitants of the said parishes; his Majestie is contented and pleased, that it bee enacted and established by authoritie of this present Parliament, That Sir Anthony Sentleger, knight, deputy to the King's highnesse, John Allen, his Grace's chauncellor, William Brabazon, his Majesties vicethesaurer of this land, Sir Gerald Aylmer, knight, his Grace's chiefe justice of the plees, before himselfe to bee holden, within this his said land, Sir Thomas Luttrell, knight, chiefe justice of the common place, James Bath, chief baron of the King's exchequer, Robert Cowley, master of the rolls,

Divers parish churches appropriated to religious houses dissolved, having no vicars endowed.

Certain persons are by this act empowered to erect and incorporate one vicarage of one vicar in every parish church.

A. D. 1542. Thomas Houth, secundarie justice of the King's bench, Patrick Barn-
 wall, the King's fargeant at lawes, Robert Dillon, the King's gene-
 Chap. 14. rall attorney, within this said land of Ireland, or nine, eight, seaven, or fixe of them, whereof the said lord deputie, lord chauncel-

which shall
 have succeffi-
 on for ever.

The lord
 deputy to no-
 minate in the
 King's name
 to the ordin-
 ary, an able
 person to be
 vicar.

Who after
 admission, &c.
 shall be taken
 and implead
 as vicar.

Such man-
 sions, tithes,
 &c. as neces-
 sary and con-
 venient, shall
 be assigned to
 such vicars
 out of the
 possessions
 coming to the
 King by the
 dissolution of
 monasteries,
 for mainte-
 nance of di-
 vine service,
 hospitality,
 &c.

After cer-
 tificate there-
 of the chan-
 cellor by let-
 ters patent in
 the King's
 name shall
 grant and en-
 dow such vi-
 cars there-
 with in pure
 alms for ever.

Reserving
 to the King
 yearly the
 20th part and
 first fruits, on
 every presen-
 tation.

The yearly
 value of such

lour, vicethesaurer and chief justice, to bee four of them, shall and may by authoritie of this present act have full power and authoritie to erect, ordaine and incorporate, one vicarage, of one vicar in everie of the parish churches, as they, or nine, eight, seven, or fixe of them, as is aforesaid, shall think convenient, which shall have succeffion in everie of the same vicarages as vicar in him and his succeffors for ever. And that the said lord deputie to nominate, and present in the King's highnesse name, to the ordinarie within whose diocesse the said church doth stand, one able and sufficient person to bee vicar of everie of the said churches, which person so nominated, and presented after his admission, institution, and induction to bee reputed, taken, impleaded, and to implead as vicar of the said church, to all intents and purposes, as other vicars of this land have, by the law of this land. And that further by the same authoritie, the said Sir Anthony, John Allen, William Brabazon, Sir Garald, Sir Thomas, James, Robert Cowley, Thomas Houth, Patricke, and Robert, or nine, eight, seven, or fixe of them, as is aforesaid, shall and may limmit and assigne unto everie such vicar such manfes, portions of tythes, alterages, and oblations, of the possessions coming to the King's highnesse, by the dissolution of the same monasteries, hospitalles, or houses for the mayntenance of divine service, keeping of good hospitality within their said parishes, and for the intents and purposes aforesaid, as by the said Sir Anthony, John, William, Sir Garald, Sir Thomas, James, Robert Cowley, Thomas Houth, Patrick, and Robert Dillon, or nine, eight seven, or fixe of them, whereof the lord deputie, lord chauncellor, vicethesaurer, and chiefe justice, to be four of them, shall bee necessarie and convenient; and that the lord chauncellor of this said land, for the time being, after the certificate had under their seals of the said limitation and appointment of the manfions, portions of tythes, alterages and oblations, into the King's court of chauncerie, within this land, shall bee by the King's letters patents, under the great seal of this land, by vertue of this act, and in the King's name, graunt and endow the same vicars with the same manfions, tythes, portions, alterages, and oblations so certified, into the said court of chauncerie, to bee had, every such manfes, portions of tythes, alterages and oblations, unto every such vicar and vicars, and his and their succeffors, in pure almes, for ever; paying and reserving unto the King's highnesse, his heyres and succeffors, yearely, the twentieth part of every such vicarages, and the first fruits at and upon every presentation, nomination, or collation of every such vicar, in such maner and forme as other vicars within this land bee bound by the lawes and statutes of this realme. So that, and provided alway, that

that the yearly valor of every such manse, portion of tithes, alter-
ages, and oblations, so to bee endowed, given, graunted, limitted, and
assigned, to any such vicar at the time of any such endowment, gift,
graunt, limitation, and assignment, doe not exceed the yearly va-
lue of thirteen pounds fixe shillings and eight pence Irish: saving
to all and singular persons, bodies politique and corporate, their
heyres and successors, and the heyres and successors of every of them,
other than the King's highnesse, his heyres and successors, all such
right, title, interest, claime, possession, reversion, remainder, offices,
annuities, rent charges, or commons, which they or any of them
have, ought or might have had, in or to any such of the said man-
sions, parcels of tythes, alterages, and oblations, so to bee endowed,
given, graunted, limitted, or assigned, to any such vicar or vicars;
this act or any thing or things therein contained to the contrary
notwithstanding.

A. D.

1537.

endowments
not to exceed
13l. 6s. 8d.

Saving the
right of o-
thers.

II. Provided, and also be it enacted, That after the first esta-
blishment of every such vicarage, and after the admission and insti-
tution of every such vicar or vicars in the same, the King's highnesse,
his heyres and successors, shall possesse and enjoy the advowson,
presentation, and nomination of every such vicarage, to have and to
hold every such avowsons, presentations, and nominations of every
of the said vicarages unto our said soveraign Lord, his heyres and
successors for ever, as united and knit to his and their imperiall
crown.

The King
shall enjoy the
advowson as
united to his
crown.

C H A P. XV.

An Act for Vagabonds. Rot. Parl. cap. 14.

Forasmuch as at a Parliament, holden at London within the realm of Eng-
land the third day of November the xxi. year of the reign of our most dread
soveraign lord King Henry the eighth, and from thence adjourned and proroged
untill Westminster, and there continued by fortie and four days, that is to say,
untill the xvii. day of December, and from the said day and place untill the
xxvi. day of April then next ensuing, and from the same xxvi. day of April
untill the xxii. day of June then next ensuing; and from the xxii. day of June
untill the first day of October then next ensuing: and from the same first day
of October until the xxii. day of the same month; and from the same xxii. day of
October until the xvi. day of January then next ensuing; on the which xvi. day of
January it was enacted, ordeyned, and established by authoritie of the same Par-
liament, how aged, poor, and impotent persons, compelled to live by alms, should
be ordred, and how vagabonds and mighty strong beggars should be punished,

Repealed 11
G. 12 G. 3.
c. 30.

The English
Stat. 22 H. 8.
12. for ordering
beggars and
punishing va-
grants, enacted
in Ireland.

A. D. 1542. Chap. 15. as in the same act more plainely may appear; which act for divers causes is thought very meet and necessary to be enacted in this land; wherefore be it enacted, ordeyned, and established by authoritie of this present Parliament, That the same act, and all and every thing, article, provision, and thing comprised in the same, bee within this land an act and statute to be continued and kept as a law within this land according to the tenor and purport of the same: the tenor of which act, made in the xxi. year of the said King, ensueth in these words, *viz.* "Where in all places throughout this realm of England vagabonds and beggars have of long time encreased, and daily doe encrease, in great and excessive numbers by the occasion of idlenesse, mother and root of all vices; whereby hath insurged and sprung, and daily insurgeth and springeth continual thefts, murders, and other fundry heynous offences and great enormities, to the high displeasure of God, the inquietation and damage of the King's people and to marveylous disturbance of the common wealth of this realm: and whereas manie and fundry good lawes, strait statutes, and ordinances have been before this time devised and made, as well by the King our soveraign lord, as also by divers his most noble progenitors Kings of England, for the most necessarie and due reformation of the premisses; yet that notwithstanding, the said numbers of vagabonds and beggars bee not seen in any part to be minished, but rather daily augmented and increased into great routs and companies, as evidently and manifestly it doth and may appeare: bee it therefore enacted by the King our soveraign lord, and by the lords spirituall and temporall and the commons in this present Parliament assembled, and by authoritie of the same, That the justices of the peace of all and singular the shires of England within the limits of their commissions, and all other justices of peace, mayors, sheriffes, bayliffes, and other officers of all and everie citie, borough, ridings, or franchises within the realm of England within the limits of their authoritie, shall from time to time, as often as need shall require, by their discretions divide themselves within the said shires, cities, boroughs, ridings, or franchises, whereof they be justices of peace, mayors, sheriffes, baylifes, or officers: and, so being devided, shall make diligent search and enquire of all aged, poor, and impotent persons, which live, or of necessitie be compelled to live, by almes of the charity of the people, that bee or shall bee hereafter abyding within every hundred, rape, wapentake, citie, borough, parish, libertie, or franchises within the limits of their devision; and after and upon such search made the said justices of peace, mayors, sheriffes, bayliffes, and other officers (that is say) every of them within their limits of their authorities whereunto they be divided, shall have power and authoritie by their discretions to enable to begge within such hundred, rape, wapentake, citie, towne, parish, or other limits, as they shall appoint, such of the said impotent persons, which they shall finde and thinke most convenient within the limits of their division, to live of the charity and almes of the people, and to give in commandment to every such aged and impotent beggar (by them enabled)

Recital of
22 H. 12. Eng.

Idleness the
cause of increase
of beggars and
vagabonds, not-
withstanding
several statutes.

Justices of
peace, mayors,
&c. shall inquire
of aged and
impotent per-
sons subsisting
by alms.

enabled) that none of them shall begge without limits to them so appointed, and shall also register and write the names of every such impotent begger by them appointed in a bill of roll indented, the one part thereof to remain with themselves, and the other part by them to be certified before the justices of the peace at the next sessions after such search had, to be holden within the said shires, cities, townes or franchises, there to remain under the keeping of *custos rotulorum*. And that the said justices of peace, mayors, sheriffes, bailiffes and other officers, that is to say, as they be divided, shall have power and authoritie to make such and so many seales to be engraved with the names of the hundreds, rapes, wapentakes, cities, boroughes, townes, or places within the which they shall appoint and limit every such impotent person to begge, and commit the said seales to the custody of such of them, or to the custody of such other as they shall thinke convenient, and shall make and deliver to every such impotent person by them enabled to begge a letter containing the name of such impotent person, and witnessing that he is authorised to begge, and the limits within which he is appointed to begge: the same letter to be sealed with such of the said seales, as shall be engraved with the names of the limit wherein such impotent person shall be appointed to begge in, and to be subscribed with the name of one of the said justices or officers abovesaid: and if any such impotent person so authorised to begge, do begge in any other place than within such limits that he shall be assigned unto, that then the justices of peace, mayors, sheriffes, bailiffes, constables, and all other the King's officers and ministers shall, by their discretions, punish all such persons by imprisonment in the stocks by the space of two days and two nights, giving them but onely bread and water, and after that, cause every such impotent person to be sworne to return again without delay to the hundred, rape, wapentake, citie, borough town, parish or franchises where they be authorised to begge in. And it is enacted, that no such impotent person, as is abovesaid, after the feast of the nativite of saint John Baptist next comming, shall begge within any part of this realm, except he be authorised by writing under seale as is abovesaid. And if any such impotent person after the said feast of saint John be vagrant, and go a begging, having no such letter under seale, as is above specified, that then the constables and all other inhabitants within such town or parish where such person shall begge, shall cause every such begger to be taken and brought to the next justice of peace, or high constable of the hundred, and thereupon the said justice of peace or high constable, shall commaund the said constables, and other inhabitants of the town or parish, which shall bring before him any such begger, that they shall strip him naked from the middle upward, and cause him to be whipped within the town where he was taken, or within some other towne where the same justice or high constable shall appoint, if it shall seem to the discretion of the said justice of peace or high

A. D.
1542.
Chap. 15.

And also register their names in a roll indented,

One part thereof to be certified at the next sessions, to remain with the *Custos Rot.*

Said justices, &c. shall make seales, to be engraved with the names of the places limited, and deliver to every such beggar, a letter authorising him to beg in such limits, sealed with the seal abovesaid, and subscribed with the name of one of said justices, &c.

If he beg beyond his limits, he shall be punished at discretion by imprisonment in stocks for 2 days and nights, have only bread and water, and sworn to return without delay to his own limits.

If vagrant, begging without such letter, shall be taken to the next justice, &c. who shall in his discretion order him to be stripped naked and whipped, or set in stocks 2 days and nights, with only bread and water, then have such letter sealed delivered to him, and limits appointed, and be sworn to repair thither.

A. D. 1542. Chap. 15. constable, that it be convenient so to punish such begger to him brought: and if not, then to commaund such begger to be set in the stockes in the same towne or parish where he was taken, by the space of three dayes and three nights, there to have onely bread and water, and thereupon the said justice, or high constable, before whom such begger shall be brought, shall limit to him a place to begg in, and give to him a letter under seale in forme above remembred, and swear him to depart and repaire thither immediately after his punishment to him executed.

Persons strong and able to labour taken begging, or having no land, or using no lawful means to get living, giving no account thereof, and vagrant, may by discretion of the justices be whipped, and sworn to return immediately the next and strait way to their place of birth or dwelling the last 3 years, and there put to labour.

And have a letter sealed, witnessing the punishment, the place to which limited, and the time; within which they may beg by the way, shewing said letter, else not.

And to be whipped in every place as often as found in default, contrary to the order of this statute, till repaired to place of birth, or last dwelling for 3 years.

II. And be it further enacted by the authoritie aforeaid, That if any person or persons being whole and mightie in bodie and able to labour, at any time after the said feast of saint John, be taken in begging in any part of this realme: or if any man or woman being whole and mightie in body and able to labour, having no land master, nor using any lawful merchandise, craft or myserie whereby he might get his living, after the same feast be vagrant, and can give no reckoning how he doth lawfully get his living, that then it shall be lawfull to the constables, and all other the King's officers, ministers and subjects of every towne, parish and hamlet, to arrest the said vagabonds and idle persons, and them bring to any of the justices of peace of the same shire or libertie, or else to the high constable of the hundred, rape, or wapentake, within which such persons shall be taken, and if he be taken within any citie or towne corporate, then to be brought before the mayor, sheriffes or bayliffes of everie such towne corporate. And that every such justice of peace, high constable, mayors, sherifes, and baylifes by their discretions shall, and cause every such idle person so to him brought, to be had to the next market towne or other place, where the said justices of peace, high constable, mayors, bayliffes and other officers shall think most convenient by his or their discretion, and there to be tyed to the end of a cart naked, and be beaten with whippes throughout the same market towne, or other place, till his bodie be bloody by reason of such whipping; and after such punishment and whipping had, the person so punished by the discretion of the justice of peace, high constable, mayor, sherifes, baylifes, and other officers before whom such person shall be brought, shall be enjoyned upon his oath to return forthwith without delay in the next and straight way to the place where he was born, or where he last dwelled before the same punishment by the space of three yeres, and there to put himself to labour like as a true man ought to doe, and after that done every such person so punished and ordered, shall have a letter sealed with the seale of the hundred, rape, wapentake, citie, borough towne, libertie or franchise, wherein he shall be punished, witnessing that he hath been punished according to this statute, and contayning the

the day and place of his punishment, and the place whereunto he is limited to goe, and by what time he is limited to come thither, within which time he may lawfully begge by the way, shewing the same letter, and otherwise not; and if he doe not accomplish the order to him appoynted by the said letter, there to be eftsoones taken and whipped, and so as often as any default shall be found in him contrary to the order of this statute in every place to be taken and whipped, till hee be repayred where he was born, or where he last dwelled by the space of three yeres, and there put his body to labour for his living, or otherwise truely get his living without begging as long as he is able so to doe. And if the person so whipped be an idle person, and no common begger, then after such whipping he shall be kept in the stockes till he have found suretie to goe to service, or else to labour, after the discretion of the said justice of peace, mayors, sheriffes, bayliffes, high constables, or other such officers before whom any such idle person, being no common begger, shall be brought, if by the discretion of the same justice of peace, mayor, sherif, baylife, high constable, or other such head officer it be so thought convenient, and that the partie so punished be able to find suretie, or else to be ordered and sworne to repaire to the place where he was borne, or where he last dwelled by the space of three yeres, and to have like letter, and such further punishment, if he eftsoones offend this statute, as is above appointed to and for the common strong and able beggers, and so from time to time to be ordered and punished till he put his body in labour, or otherwise get his living truely according to the law. And that the justices of the peace of every shire, ryding, citie, towne and libertie, shall have power and authoritie, within the limits of their commissions, to enquire of all mayors, baylifes, constables, and other officers, and persons that shall be negligent in executing of this act. And if the constables and inhabitants within any towne or parish where any such impotent person or strong begger doth happen to begge contrary to the forme of this statute, be negligent, and take not everie such impotent and strong begger that so shall begge against the forme of this statute, and order and punish every such begger as is above limited, that then the towneship or parish where default shall be, shall lose and forfeit for every such impotent begger that shall be suffered to begge within the said towneship or parish, not being taken, ordered and punished according to the forme of this statute, iiis. iiid. for every strong begger that shall happen to beg within any such township or parish not being taken and ordered, as is above limited by this statute, vi.s. viii.d. the one halfe of all which forfeitures to be to the King our soveraign Lord, and the other halfe to him that will sue for the same, by any bill of information before the King's justices of his peace in their general sessions to be holden within the shire, or within the libertie where such default shall happen. And that all justices, of peace

A. D.
1542.
Chap. 15.

If an idle person, and no common beggar, after such whipping he shall at discretion of the justice, &c. be kept in stockes till surety to go to service or labour, if able to find surety: otherwise to be sworn to repaire to place of birth, or last dwelling, as above, with such letter and further punishment as for strong and able beggars.

Justices of peace within the'r limits, shall inquire of all persons negligent in executing this act.

If the constable or inhabitants neglect, the township or parish shall forfeit, for every impotent beggar, 3s. 4d.

For every strong beggar, 6s. 8d.

To the King and informer at the sessions.
To the King only, if by presentment.

A. D.
1542.
Chap. 15.

To be levied
by distress of
the goods of
one or two of
the inhabitants
known by the
sheriff, &c. to
be most in de-
fault, till sure-
ty to appear
next sessions.

If they ap-
pear and con-
fess, or tra-
verse, or deny,
and found
against them,
said fines to
be levied.

Penalty for
not appearing
at the first
distress, 40d.
at the second
6s. 8d.
so to be doubled
till appearance
of one of the
inhabitants to
deny, &c.

Scholars not
authorized un-
der seal of the
university.

Shipmen
pretending
losses at sea,
without suffi-
cient authori-
ty, punished as
strong beggars.

Idlers using
unlawful
games.

within any shire, citie, borough, or libertie, shall have full power and authoritie, as well to heare and determine every such default by presentment, as by such bill of information, and upon every presentment afore them, and upon every such bill of information to make processe by distresse against the inhabitants of every such towne and parish where any default shall be presented or supposed by any such information. By authoritie of which distresse the sherife, or other officer to whom by the law such distresse shall be made, shall distreyn the goods and cattals of such one or two of the said inhabitants, as he may have knowledge were most negligent, and in default in the execution of this act; and the said distress retain till they finde surety to appeare at the next sessions limited in their said distresse, and in case they appeare and confesse the default, or else if they traverse the presentment, and it be tryed against them by verdict, or denie the information, and it be proved against them by sufficient witnesse, then the said justices of peace in their sessions, shall have authoritie to asseesse the fines as been above limited, after the rates abovesaid, and to make processe for the levying of the same by distresse, of the inhabitants of such townes or parishes where such default shall be tried or proved, and that everie such fine if it grow by presentment to be onely to the King's use: and if it grow by information, then the moytie thereof to be to him that pursueth the information for the same, and the other moytie thereof to the King's use as is abovesaid; and if any such person or persons distrayned appear not at the day and place containd in such distresse, then upon the return of the sherife, or other officer to whome the distresse was delivered to execute, that such person or persons were distrayned, then every such person or persons so distrayned, at the first distresse shall lose xl.d. and at the second vi.s. viii.d. and so to be doubled upon every distresse, in such cases to be awarded, till appearance may be had by one of the inhabitants of such towne or parish to denie, traverse, or confesse the presentment or information exhibited against any such towne or parish, to the intent that upon trial or proof thereof, the fines above limited, may be assessed and levied of the inhabitants of everie such towne or parish, as is above rehearsed.

III. And be it enacted by authoritie abovesaid, That schoolers of the universities of Oxford and Cambridge that goe about begging, not being authorised under the seal of the said universities, by the commissary, chancellor, or vicechancellor of the same, and all and singular shipmen pretending losses of their ships and goods of the sea, going about the country begging, without sufficient authority witnessing the same, shall be punished and ordered in maner and forme as is above rehearsed of strong beggars. And that all proctors and pardoners going about in any country or countries without sufficient authoritie, and all other idle persons going about in any country, or abiding in anie citie, borough or towne, some of them using

using diverse and subtle, crafty and unlawfull gaines and playes, and some of them fayning themselves to have knowledge in phisicke, phisnomy, palmestry, and other craftie sciences, whereby they bear the people in hand that they can tell their destinies, diseases and fortunes, and such other like fantastickall imaginations, to the great deceit of the King's subjects, shall upon examination had before two justices of peace, whereof the one shall be of the *quorum*, if he by provable witnesse be found guilty of any such deceits, be punished by whipping at ii. daies together, after the manner before rehearsed: and if he eftsoones offend in the said offence, or in any like offence, then to be scourged ii. dayes, and the third day to be put upon the pillory from ix. of the clock till xi. before noon of the same day, and to have one of his ears cut off: and if he offend the third time to have like punishment with whipping, standing on the pillory, and to have his other ear cut off. And that justices of peace have like authority in every liberty and franchise within their shires, where they be justices of peace, for the execution of this act in every part thereof, as they shall have without their liberty or franchise.

A. D.
1542.
Chap. 15.

Pretenders to physick, palmistry, &c. found guilty before 2 justices (*quor. unus*) to be whipped 2 days: for further offence the like punishment, and pillory, and having the ears cut off.

The justices to have like authority within liberties as without, being in their shires.

IV. Also it is further enacted, That this act shall every yeare be read in open sessions, to the intent that the said statute shall be the more feared, and the better put in execution.

This act to be read yearly in open sessions.

V. And furthermore be it enacted, That if any person or persons, at any time hereafter, give any harbour, money, or lodging, to any beggars, being strong and able in their bodies to worke, which order themselves contrary to the forme of this statute, that every such person so doing, being sufficiently proved or presented before anie justice of peace, shall make such fine to the King, as by the discretion of the said justice of peace, at their generall sessions shall be assessed. And if any person or persons doe disturb or let the execution of this act in any maner wise, or make rescous against anie mayor, sherife, baylife, or other person that shall endeavour himselfe for the due execution thereof, it is then enacted, that every such person and persons, for every such offence doing, shall lose and forfeit C. s. and over that, to have imprisonment at the King's will, the one halfe of which forfeite, if such offence be committed in any citie or towne corporate, to be to the mayor, sherife, baylife, or other head officers of such citie or towne corporate, where any such offence shall be done, to the use of the commonalty of every such citie or town corporate, and if it be committed out of the citie or towne corporate, then the said one half to be to the lord of the leet or lawday, where such offence shall be done, and thother halfe of every such forfeite to be to the King our soveraign Lord, for the which forfeite of v. li. recoverie shall be had by action of debt, bill, plaint, or information in any of the King's courts, in which suits the defendants shall not wage their law, nor have any effoin or protection allowed.

Harbourers of, or giving money to, able beggars, ordering themselves contrary to this act, to be fined at discretion of the justices.

Disturbing execution of this act, forfeiture of 5l. and imprisonment.

VI. Provided alway, that this act nor any thing therein conteyned, shall be hurtfull or prejudiciall to the barons, or other inhabitants of the five ports, or of their

Not to prejudice the barons of cinque ports.

A. D. 1542. members, neyther to any graunt, libertie, or franchise heretofore made by the King
 Chap. 15. our soveraigne lord, or any his progenitors Kings of England, to the said barons,
 or other enhabitants, their auncestors, predecessors, or to any of them.

VII. And that it be enacted by authoritie of this present Parliament, That all and every mayor and mayors, and baylife and baylifes, elective and elected by the commons, and inhabitants of every towne and place of the said ports and members, and also jurates of every the said townes and places of the said ports and members, shall have like authority within every such towne and place, where they or any of them be or shall be, mayor, baylife or jurate, to put, or cause to be put, this act in due execution, as the justice of peace in any county of this realme, have or shall have authoritie and power by this act to doe, where they be justices, and that the inhabitants within every towne, within the said ports, shall be bounden to the execution of this act, like as other inhabitants be without the said ports, upon like paine as is above remembred. And if any person or persons which shall inhabite within the said five ports or members, be impotent, or other idle person, do hereafter beg without the said five ports or members of the same, contrary to this act, that then every such person shall be ordred and punished according to this act: any thing in this proviso to the contrary, notwithstanding.

The seales to be made at the charges of the justices, &c. within the limits of their divisions.

VIII. And it is ordeyned and enacted, That the seales above rehearsed, shall be made at the costs and charges of the justices of peace, mayors, sherifs, bailifs and other officers above written, on this side the feast of the Nativitie of St. John Baptist next coming, that is to say, that every of them, shall do the said seales to be made within the limits of their divisions, jurisdictions and authorities.

IX. And it is also ordeyned and enacted, That every letter to be made, by the authoritie of this act, whereby any impotent begger shall be authorized, and assigned to begg, shall be made in this form ensuing.

The form of the letter authorising impotent persons to beg.

¶ Kanc. ff. ¶ Memorand' that A. B. of Dale, for reasonable considerations is licensed to begge within the hundreds of P. K. and L. in the said countie. Given under the seale of that limit. Tali die & anno.

And that every such letter that shall be made and delivered to such begger or vagabond, after he hath been whipped by authoritie of this act, shall be made in this wise following.

Form of the letter after whipping.

¶ Kente. ¶ J. S. whipped for a vagrant strong begger, at Dale in the said countie, according to the law, the xxii day of July, in the xxiii. year of King Henry the eight, was assigned to passe forthwith, and directly from thence to Sale, in the county of Middlesex, where

he saith he was borne (or where he last dwelled by the time of three years.) And he is limited to be there within xiiii. dayes next ensuing, at his perill (or within such number of dayes, as to him shall be limited by the discretion of the maker of the said letter) In witnesse whereof, the seal of the limit of the said place of his punishment, hereunto is set.

A. D.
1542.
Chap. 15.

X. And it is enacted, That every such letter shall be made at the equall costs of such the said justices, mayors, sherifes, baylifes, and other officers, within whose jurisdictions, powers and authorities, the said begger or vagabond shall be whipped or limited to begge in, by authoritie of this act; and every such letter shall be subscribed with the hand of one of the said justices, mayors, sherifes, baylifes, or other officers, in this forme following :

Said letter to be made at the equal costs of justices, mayors, &c. within whose jurisdiction. And subscribed by one of them.

Per me A. B. unum justiciariorum pacis, or maiorem civitatis, or ballivum villa, or constabularium talis hundredi, or else in like forme in English.

XI. And it is further enacted, That every such person and persons, as have the custodie of any gaoles within any shire, citie, borough or towne corporate, on this side the feast of St. John the Baptist, shall doe, make a seal engraved with the name of the castle, prison, or gaol which hee keepeth. And in case any person or persons, that at any time after the said feast of Saint John, shall be delivered out of any gaol or prison, for suspitions of felony by proclamation, or be acquit of any felony, and hath no friends to pay his fees, nor was borne within the hundred or place where he shall happen to be so delivered, nor can get him no master there to abide and worke with, shall have liberty to begge for his fees, by the licence of his keeper, by the space of fixe weekes, next after such deliverance, and after that, to be compelled to go to the hundred where he was borne, or last dwelled, by the space of three yeres, within such time as shall be limited by one of the justices of peace, mayors, sherifes, baylifes, or other officers where such deliverance shall bee had. And it is enacted, that every such person so delivered, shall have a letter made to him by the clerk of the peace of the shire, within the which he was delivered, if he be delivered within the shire: and if he be delivered in any citie, borough or towne corporate, then he to have a letter of the common clerk of every such citie, borough, or town where he is delivered, every such letter witnessing the day of his deliverance, and the place where he was delivered, and before whom, and the time appointed to him to begge for his fees, and the place to the which he shall be assigned to repaire unto, in case he can get no master to fall to worke, where hee was delivered. And to every such letter, the said goaler or keeper of prison, out of the which such person shall be delivered, shall put the seal limited to be made as is aforesaid, for the said prison, and that every such letter shall be made in this wise following :

Gaolers shall have a seal engraved with the name of the gaol, and give licence to beg for 6 weeks to persons delivered, not able to pay fees, nor get work, nor born in that hundred. Afterwards they shall be compelled to go within a limited time to the hundred where born, or dwelt last 3 years; and have a letter made by the clerk of the peace or of the town, without fee, to which the gaoler shall put the said seal.

A. D.

1542.

Chap. 15.

Form of
said letter.

¶ Essex. ff. ¶ The xx. day of July. Ann. Regni Regis Henr. 8. 23. 7. 8. was delivered for felony out of the gaol of D. in the said county, at the sessions holden afore A. B and his fellowes, at Sale, the day and year aforesaid, and is allowed to begge for his fees, by the space of six weeks. And in case he can get him no master to worke, within the said term, then he is assigned to passe directly to D. in the countie of Kent, where he saith he was borne, or last dwelled by the space of three yeares. And he is allowed xiiii. dayes next after the said fixe weekes, for his passage thither (or such number of dayes as to him shall be limitted by the discretion of the maker of the said letter) In witnesse whereof the seal of the prison from the which he was delivered, thereunto is set.

Where no
gaol, the sheriff
shall engrave a
seal with the
name of the
shire, and use it
in same manner.

And in such shires where there is no gaol, the sherife thereof for the time being, shall cause a seal to be engraved with the name of the shire, and shall order and use the same seal to and for such persons delivered, as is aforesaid, after like manner and forme as the gaoler or keeper of the gaol, is limitted and appointed to doe by this act.

Said letter to
be delivered by
said clerk to the
gaoler or sheriff
within one day
after end of the
sessions.

XII. And it is also enacted, That everie clerk of the peace of the shire, within the which such person shall be delivered, and every common clerke of every citie, borough or towne corporate, within the which any such person shall be delivered, shall make for every such person as shall be so delivered, where they be such officers, the said letter in form aforesaid, without any fee taking for the same, and shall deliver every such letter to the gaoler or keeper of the prison, from the which such person shall be delivered; and if there be no gaol there, then to the sherife of the shire where such deliverance shall be had, within one day next after the end of the sessions, where any such deliverance is had, upon paine to lose and forfeit for default of every letter xii. d. to the King our soveraign lord. And that the gaoler or keeper of the prison, from the which the said person shall be so delivered, and in case there be no gaole, then the sherife of the shire where any such deliverance shall be had, shall not suffer any such person to go abroad, to begge for his fees, nor depart out of prison, except it be to service or labour, unlesse the same gaoler or sherife first deliver to the said person, the said letter, contayning his name sealed with the seal of the prison from the which he shall be delivered, or else with the seal engraved with the name of the shire, if there be no prison, upon paine for every default, to lose xii. d. to our said soveraign lord.

in pain of 12d.

Gaoler or
sheriff not to
suffer such per-
sons to go a-
broad unless to
service or la-
bour, on pain
of 12d.

Persons, so
delivered beg-
ging without
such letter, or
contrary there-
to, punished as
strong beggars.

XIII. And it is enacted, That if any person or persons so being delivered out of prison, at any time after the said feast, doe begge, not having the said letter sealed in forme aforesaid, or begge contrary to the tenour of the same letter, that then he shall be taken, ordred and whipped in every behalfe, like as is above appointed

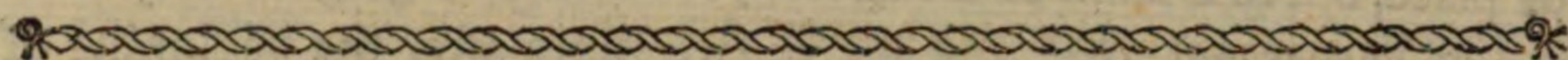
pointed for strong beggers, and that to be done and executed by such as be above limited to doe the same upon strong beggers, and in such wise, and upon such paine, as is before limited for non execution of the punishment of strong beggers.

A. D.
1542.

XIV. Provided alway, That it be lawfull to every person and persons, being bounden by reason of any foundation or ordinance to give or distribute any money in almes, and also to everie person and persons at common doles used at burials or obytes, to give and dispose in almes, any money to every person and persons coming to such almes or doles, after like maner and forme as they have been accustomed to do in that behalfe before the making of this act, without any danger or penaltie of this statute: any thing conteyned in this present statute to the contrary hereof notwithstanding.

Masters of hospitals may harbour persons of charity, and all persons bound by their foundation may distribute alms.

XV. Provided also, That it be lawful to all masters and governours of hospitalls, to lodge and harbour any person or persons of charitie or almes, according to the foundation of such hospitalls, and to give money in almes in as large maner and forme as they are bounden, or owne to doe: any thing in this statute to the contrary hereof notwithstanding.



The thirty third Year of Henry the Eighth. Sess. 2.

Statuta, Ordinationes & Actiones in Parlamento predicto apud *Lymericum* decim' quint' die *Februarii* dicto anno tricesimo tertio coram prefato deputato similiter tento edit' in hæc verba. *An. Dom. 1542.*

A. D.
1542.

Who shall be of the Parliament. And where held.

C H A P. I.

An Act for the Adjournment of the Parliament, and the Place to hold the same, and what Persons shall be chosen Knights and Burgeesses.
Rot. Parl. cap. 2.

Whereas it has been enacted that no Parliament should be summoned, &c. but in Dublin or Drogheda; or prorogued or adjourned above two times after the beginning; and that the knights, &c. should dwell within the counties, &c. and such knights should spend 40s. in fee, &c. and that otherwise the statutes of such Parliament should be void, whereby many good and profitable

FORASMUCH as in sundry Parliaments holden in this realm it was enacted and established, that amongst other things it was enacted and established by authority of Parliament, That no Parliament should be summoned, appointed, holden, adjourned, or proroged in any citie, towne, or place within this realm, but in Dublin or in Drogheda, ne that no Parliament should be proroged or adjourned over and above two times after the beginning of the said Parliament, neyther that no knight, citizen ne burgesse, should be chosen in Parliament, but such as did dwell within the counties, cities, or townes where they be chosen. And that every such knight should spend fortie shillings in fee simple, fee taylor, or freehold, within the same shire where he is chosen, (except the town of Drogheda) and every proctor to be within the same diocese, and if it be any otherwise in

A. D. 1542. any parte done, that all acts and estatutes made in that Parliament shall be voyde and of none effect, which actes considering the distance

Chap. 1. of borough townes and obedient shires from Dublin and Drogheda, where most commonly the Parliaments be holden, and the dangerous and perilous passage by the way, by the occasion of the King's rebels, and that the tenor ne purport of the said acts were not plainly ne openly known to the King's subjects of this realm, so as at divers Parliaments since the statutes holden and kept, the tenor of them might not be accomplished, in which Parliament diverse acts, both for the King's honour and profite, and wealth of this realm, was ordeyned, established, which should be greatly to the King's losse, and to the dammage of the common wealth of this realm, if by the said acts any part of the said acts should be avoyded. Wherefore be it enacted, ordeyned and established by authoritie of this present Parliament, That all and every of the said acts concerning onely the restraint of the summoning of the Parliament in any other citie, towne or place, but in Dublin or Drogheda, and the proroging and adjourning of Parliament, over and above two times after the beginning of any Parliament, and the choosing of the knights, citizens, and burgesse, to be in Parliament, and every proctor to be within the same diocesse, in manner as is aforesaid, shall be from the time or times of the making of the same acts, and any of them, voyde, frustrate, and of none effect in law, to all intents, constructions and purposes, the same former acts, or any thing in them, or any of them contained, to the contrary notwithstanding.

statutes would be avoided, as the purport of such acts, from the distance and dangerous passage, were not openly known, or accomplished. Enacted therefore that such acts concerning only the restraint of summoning the Parliament any where but in Dublin or Drogheda, and the proroguing, &c. Parliament above two times, and chusing knights, &c. as aforesaid, shall from the time of making be void.

18 E. 4. 2. Ir.

Henceforth the Knights, &c. shall be resiant in the counties, &c. elected by the greater number of inhabitants present, by vertue of the King's writs.

Said knights to be chosen as before rehearsed.

Electors of the knights to dispend and have estates of freehold in the counties, of 40s. yearly, above all charges.

Every inhabitant electing otherwise, to forfeit 5l. and the returning officers 100l.

Persons elected otherwise, taking upon them to be knights, &c. to forfeit 100l.

II. Provided, and be it enacted by the authoritie of this present Parliament, That from henceforth everie knight, citizen and burgesse, for every Parliament hereafter within this realm of Ireland to be summoned, appointed or holden, shall be resiant and dwelling within the counties, cities, and townes, chosen and elected by the greater number of the inhabitants of the said counties, cities and townes being present at the said election, by vertue of the King's writs for that intent addressed. And also the said knights to be elected and chosen in maner and forme before rehearsed. And every electour of the said knights to dispend and have lands and tenements of estate of freehold within the said counties, at the least to the yearly value of fortie shillings over and above all charges, and every of the inhabitants aforesaid, choosing or electing in any other maner then as before is mentioned, to forfeit an hundred shillings, the moytie thereof to our soveraign lord the King, his heyres and successours, and the other moytie to any that will sue for the same by action of debt, bill, information, or otherwise, in any court of record, wherein no essoign, protection, or wager of law to be admitted or allowed. And every sheriffe or other officer retourning any knight, citizen or burgesse chosen or elected in any other maner then as is before expressed, to forfeit an hundred pounds, to be had and recovered as before is specified. And every knight, citizen and burgesse, taking upon

upon him or them to bee knight, citizen, or burges, and not chosen nor elected in manner and forme as is before mentioned, to forfeit an hundred poundes, to bee forfeited, recovered, and taken in manner and fourme before rehearsed.

A. D.

1542.

C H A P. II.

An Act for the Election of the Lord Justice. Rot. Parl. cap. 3.

FORASMUCH as continually fithens the conquest of this realm of Ireland it hath been used in this same realm of Ireland, that at everie such time as it hath chaunced the same realm to be destitute of a lieutenant, deputie, justice, or other head governour by death, surrender, or departure out of the same realm, or otherwise, the counsell of this realm of Ireland, for the time being, have used by the lawes and usages of the same to assemble themselves together to choose and elect a justice to bee the ruler and governour of this realm, till the King's highnesse hath deputed and ordayned a lieutenant, deputie, or other governour, for the same realm; which justice, so being elected, was and hath been alwayes, by the ancient lawes and customes of this said realm of Ireland authorized to doe and exercise the said room of deputie there, for the good rule, governance and leading of the King's subjects within the same realm of Ireland, and in ministration of justice, with divers other authorities, preheminences, and jurisdictions there; which usage, election, and authoritie of the said justice hath been many times ratified and confirmed by divers estatutes in this realm provided and made. That notwithstanding at a Parliament holden the Monday next before the feast of Saint Andrew the Apostle, the tenth yeare of the reign of the most noble Prince of famous memorie King Henrie the seventh, amongst other things it was ordeyned and enacted, as it should seem for some private affection, that immediately after such avoydance of any of the said lieutenants, deputie, governour, or justice within this realm of Ireland, the King's Highnesse lord thesaurer of this his realm for the time being should be justice and governour of this his said realm, unto such time that his Highnesse had ordayned, made, and sent his lieutenant or deputie into this his said realm of Ireland, and that all other letters patents, prescriptions, and usages of the election of the justice at or after any such avoydaunce should bee cleerly dampned, repealed, and of none effect; which act, at another Parliament then after holden at Dublin in the xiii. yeare of the reign of the said late King Henry the seventh, for divers considerations, mischiefes, and inconveniences then appearing, was by authoritie of the same Parliament adnihilated, repealed, made voyde and of none effect, the rowle of record of which Parliament by some sinister meanes was imbeaseled, and by no means now can be found; by reason whereof divers ambiguities

Usage upon avoidance of chief governor, for the counsel to assemble to elect a justice

Which usage often confirmed by statute.

But 10 H. 7. an act passed, that the lord treasurer should be the justice upon such avoidance.

Which was repealed.

13 H. 7. The roll of which Parliament lost.

Doubts upon the election and authority of the justice.

A. D.
1542.
Chap. 2.

Enacting part.
Immediately
upon the
avoidance of
King's lieu-
tenant, &c.
the chancel-
lor to assemble
the King's
counsellors,
by the King's
writs.

They to
elect one born
within the
realm of En-
gland, and
no spiritual
person, to be
justice during
the King's
pleasure.

If none
such in this
realm, to
choose two of
the counsel of
English blood
and surname.

The chan-
cellor to make
letters patent
to the persons
elected, who
shall have like
authority as
the preceding
lieutenant till
a new lieute-
nant sworn,
or the King's
pleasure
known by
writing.

All other
statutes, pre-
scripts, and
usages of

and doubtles upon the election of the justice of this realm upon eve-
rie such avoydaunce, and upon his authoritie, hath and yet doth dai-
ly arise and groweth in this realm: For the remedie whereof, and
establisment of a certain order to be had for the election of the
justice within this realm at everie such avoydaunce and his authori-
tie, be it enacted and established by authority of this present Par-
liament, That immediately upon the avoydance of every the King's
lieutenants, deputie, or justice of this realm, by death, surrender of
their letters patents or office, departure out of this realm, or for any
other cause, the King's chauncellour of this realm, or keeper of his
Grace's great seal for the time being, shall by the King's writ or
writs call and assemble together, at such place as the said chauncellor
or keeper of the great seal shall think convenient, the King's counsay-
lors being inhabiting or dwelling in the shires of Dublin, Meith,
Lowth, Kildare, Kilkenny, Tipperarie, Wexford, Waterford,
Corke, Kery, and Lymérique, for the assembly of the said counsaylors,
which of them so assembled, shall by authoritie aforesaid have full
power and authoritie by vertue of this act to elect and choose one
such person, as shall be an Englishman, and born within the realm of
England, being no spirituall person, to be justice and governor of this
realm of Ireland during the King's Highnesse pleasure, if there shall
be at that time any such person within this realm, that shall be able,
meet, and convenient for the same room or office, and for the use
and exercise thereof. And if there be no such person then within
this realm, then they to elect and choose two persons of the said
counsell of English blood and surname, being no spirituall persons,
whom they shall think meet, able, and convenient to be justice and
governour of this realm of Ireland, during the King's Highness plea-
sure; upon which election so by them or the more part of them had
and made, as is aforesaid, the chancellour or keeper of the great
seal of this realm, for the time being, shall by authoritie aforesaid
according to the ancient usage make letters patents to the person or
persons so elected under the King's great seal of Ireland, of, for, and
concerning the room of justice of this realm of Ireland; which per-
son or persons being so elected as is aforesaid, after he or they be
solemnly sworn according to the ancient usage in this realm, shall
have, use, and enjoy like authoritie, preheminance, and dignitie to every
purpose and respect, as the King's lieutenant or deputy there next be-
fore him, being made by the King's most gracious letters patents,
lawfully had, and used to have, hold, possesse, exercise, and enjoy
the said office of justice or governor, with the said authoritie, pre-
heminance, or dignitie, unto such time as the King's Highnesse, his
heyres or successors, doe admit and authorise one to be his lieute-
nant, justice, deputie, or governour of this realm, and unto such
time as the said lieutenant, justice, deputy, or governour so autho-
rised, doe take and receive his oath, as hath been afore accustomed,
or the King's Highnesse farther pleasure therein known by writing,

and

and that by the same authoritie all other estatuts, prescriptions, and usages of the election of justice or governor of this realm of Ireland after any such avoydance, and of any authoritie given or prescribed unto him or them at any time before the first day of this present parliament, other then by the King's letters patents, be cleerely dampned, adnihilated, repealed, revoked, made voyde, and of none effect.

A. D.

1542.

election, to be void, or any authority given, save by patent.

C H A P. III.

An Act touching Mispleading and Jeofailes. Rot. Parl. cap. 3.

FORASMUCH as the parties, pleintifes, and demaundants, in all manner of actions and suites, aswell reall as personall, at the lawes of this realm, before this time hath been greatly delayed and hindered in their suites and demaundes by reason of the craftie, subtil, and negligent pleadings of the pleintifes or demaundants, defendants or tenautes, where any action or demand hath been sued, had, or made, aswell in ministring of their declarations and barres, as also in their replications, rejoinders, rebutters, joyning of issues, and other pleadings, to the great hurt, delaye, and hinderance of the said pleintifes or demaundants, or the vexation of the defendants or tenautes; in so much that when the issues joyned in the same actions betweene the parties to the same hath been tried and found by the verdict of twelve men or more for the said pleintifes or demaundants, or for the tenants or defendants, and the justice or justices, judge or judges, readie to give judgment for the said parties for whom the said issue was found, the same parties hath been compelled by the course and order of the lawes of this realm afore this time to replead, and the said verdict so given, as is afore said, to be taken as void and of none effect; sometimes because that the issues hath been misjoyned and jeofaile, and sometime by taking advantage of the parties own mispleading, or in the pursuing, misconveying, or discontinuing of proceffe of any of the parties, and for divers other causes, the which is thought aswell a great sclander to the said law of this realm, and to the ministers of the same, as also a plaine delay and hinderance unto the said parties, in that they should have their judgements, when the issue hath beene found and tried as is afore said, to their great costes and charges: bee it therefore enacted by the King our soveraigne lord, the lordes spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That from henceforth, if any issue be tried by the verdict of twelve men or moe, for the partie pleintife or demaundant, or for the partie of the tenaunt or defendant, in any manner, action, or suite in the King's bench, common place, exchequer, or before the justices of assize, that then the justice or justices, judge or judges, by whom judgement thereof ought to be given, shall

32 H. 8.
30. Eng.

10 C. 1. sess.
2. cap. 12. Ir.
17 and 18 C. 2.
12.
6 Anne 10.
9 Wil. 3. 38.
Several inconveniencies by delays in suits.

Enacting part

After issue tried, judgment given, notwithstanding jeofaile, mispleading, &c.

A. D. 1542. Chap. 3. proceed and give judgment in the same, any mispleading, lacke of colour, insufficient pleading, or jeofaile, any miscontinuance, or discontinuance, or misconveying of processe, misjoyning of issue, lack of warrant of attorney for the partie, against whom the said issue shall bee tried, notwithstanding; and the said judgements thereof so to be had and given shall stand in full strength and force to all intents and purposes according to the said verdict without any reversall or undoing of the same by writte of errour, in like form as though no such default or negligence had never been had or committed.

Attorneys
to deliver
warrants to
the officer to
be entered of
record in the
same term or
before.

II. Provided alway, and be it enacted by authority aforesaid, in avoyding of errors and other great inconveniences that daily doe fortune to rise and grow in the King's said courts within this realm through the negligence of attorneys, because they deliver not their warrants of attorney in such actions or suites, wherein they be named attorney, according to the lawes of this realm, That all and every such person and persons, which shall fortune hereafter to be attorney to or for any other person or persons, being demandant or pleintife, tenant, or defendant in any action or suit at any time hereafter commenced or taken in any of the King's said courts, and plead to any issue in the same action or suit, that then every the same attorneys, and every of them, from time to time shall deliver, or cause to be delivered, his or their sufficient and lawfull warrant of attorney to be entered of record for every of the actions or suites, wherein they be named attorneys, to the officer or his deputie ordeined for the receipt and writing thereof, in the same term when the said issue is entred of record in the said court or afore, upon paine of forfeiting unto our said soveraigne lord ten pounds sterling, for every default for non delivery of the said warrant of attorney, and also further to suffer such imprisonment by the discretion of the justices or judges of the court for the time being, where any such default shall fortune to be had or made, shall be thought convenient.

On pain of
sol. and im-
prisonment at
discretion.

None (ex-
cept parties)
to plead, un-
less residing
years in
one of the
inns of court
in England,

III. Provided alway, and be it enacted by authoritie aforesaid, That no person ne persons, that now is or hereafter shall be within this realm, except the partie pleintife or demaundant, tenant or defendant, shall be admitted or allowed as a pleader in any of the King's four principall courts within this his Grace's realm in any cause or matter, whatsoever it be, or yet to make or exhibite to or in any of the said four courts any declaration or bill, plea in barr, replication or rejoinder, or to give evidence to any jury, unlesse it bee for the King's majestie, or to argue any matter in law, or yet to doe or minister any other thing or things in any of the said four courtes, which customably hath been used to be done by one learned or taken to be learned in the King's lawes, but such person and persons hath or shall be for the same at one time, or severall times by the space of yeres complete at the least demurrant and resiant in one of the innes of court within the realm of England, studying, practising, or endeavouring themselves, the best they can to come to the true knowledge

knowledge and judgement of the said lawes, upon pain of an c. s. to every person or persons offending contrary to the *proviso* last before specified, or any thing therein containd.

A. D.

1542.

On pain of

100s.

This act not to extend to bind justices to give judgement, where the King is party.

IV. Provided alway, and be it enacted by authoritie aforesaid, that this act, or any thing or things therein containd shall not extend to binde any justice or justices, judge or judges, to give judgement in any suit, action, cause, or matter depending or to bee depending between the King's majestie, his heires or succeffours, and any of his or their subject or subjects, ne that no such erroneous judgement upon the said defaults, negligence, or omission to bee given against his highnesse, his heirs or succeffours, shall otherwise binde his Grace, his heires or succeffours, or any of them, but as the same should have done before the making of this present act, or any thing or things therein containd to the contrary in any wise notwithstanding.

V. Provided also that this act, or anie thing therein containd, doe not extend to any exception or exceptions to be moved before any justice or justices, judge or judges, and not allowed by them or any of them, whereupon a bill thereof shall be sealed or refused to be sealed, but the same to stand and be of and in the same force, effect, condition and manner, as it was before the making and establishment of this present act: any thing mentioned in this act to the contrarie notwithstanding. This present act with the provizoes to endure til the last day of the next Parliament.

Nor where a bill of exceptions taken.

Rev. and made perpetual, 11 Eliz. 5. sess. 1.

CHAP. IV.

An Act for Lands given by the King. Rot. Parl. cap. 5.

WHERE our soveraigne lord the King's most excellent majestie, for the reliefe and fortification of this his Highnesse realm of Ireland, having respect to the great lack of nobilitie or men of honour now within the same, of his most kingly benevolence hath created, erected, and enabled, and hereafter entendeth to create, name, erect, and enable divers persons unto names of honour and dignities within this his said realm, induing them with divers possessions and hereditaments, and to others freely have also disposed, and hereafter entendeth to dispose others his Grace's possessions, lands, tenements, and hereditaments within the same realm, albeit that upon any disloyaltie or disgressing contrary to the duety of a subject, by any of these to whom his Highnesse hath so benignly graunted and given anie such benefit, or hereafter shall give and graunt any manner such honour, stile, name and dignitie, lands, lordships, possessions, annuities, or any other profites, commodities or other hereditaments, being therefore duely condempned according to the due order of his Highnesse lawes, shall be sufficient title, right, and interest for his

Nobility a fortification of the realm.

A. D.
1542.
Chap. 4.

That the
grantees of
the crown may
not be igno-
rant of their
duty, and that
their grants
are upon con-
dition.

Grantees
of the crown
confederating
to the amount
of treason
with rebels,
attempting
war or invasi-
on, transgress-
ing in any part
their duty of
allegiance, or
not perform-
ing the cove-
nants in their
letters patents
forfeit their
honours,
lands, &c.

Highnesse, to seise again into his Majestie hands all maner such things premised so to fore disposed, yet for the more open declarati-
on of the same to the world, and that the same grauntees and donees
being hitherto very ignorant in the knowlege of the duety of a sub-
ject may be before their eyes alway, not onely the most gracious li-
beralities and benevolence of his Highnesse, but also their duties
plainely expressed in his Grace's letters pattents by sufficient words
implying and purporting the same graunt or gift to bee alway knit
with that condition, whereby they shall pretend no ignorance in the
performance of their dutie therein. His Majestie is pleased there-
fore, and contented that it be enacted, ordeyned, and established by
his Highnesse, with the assent of the lords spirituall and temporall
and the commons in this present Parliament assembled, and by the
authoritie of the same, That if any person or persons of what estate,
dignitie, degree, or condition they or any of them be, or their heirs,
or the heirs of any of them, or any other having their estate or any
part of their estate, or the estate of any of them, in any name, stile,
honour, title, dignitie, degree, annuitie, lands, tenements, or any
other hereditaments, or in any part or parcell thereof so by his High-
nesse heretofore freely given, or hereafter to be graunted or given
freely to any such person or persons, do make any confederation
which the law declareth to be treason, with any of his Highnesse
rebells against his Majestie, or attempt any wilfull warr or invasion
against his Majestie, or against his true and faithful subjects, or by
any other meane doe transgresse in any part their duty of allegiance.
which the law declareth to be treason, or do not performe such
covenants and pacts which shall be comprised within the said letters
patents, as they or any of them by their or his owne assent or assents
have or shall make covenant, agree and promise to performe with his
Highnesse deputie and counsell of this realm, or the more part of
them for the time being, at such time as they or any of them have
or shall have, receive, and accept any such gift or graunt of his
Highnesse, or his heyres or successeurs Kings of England, as is before
expressed, and the same being so proved and adjudged by the due or-
der of his Majestie's lawes, whereby the partie therein is or shall be
condempned, that then every such person or persons shall lose and for-
feit all such right, interest, and estate, as he or they so offending and
thereof condempned in maner and form beforesaid, or any other per-
son or persons seysed to their use or uses, shall have in any name or
names, honour or honours, dignitie or dignities, landes, tenements,
or other hereditaments, by force of any such graunt or graunts heere-
tofore made, given or graunted by his Highnesse, or hereafter to be
made, graunted and given by his Majestie, his heyres or successeurs
Kings of England.

II. And be it also further enacted by the same authoritie, That in
all gifts and grauntes hereafter to be made, given or graunted freely
by his Highnesse, his heyres or successeurs, to any person or persons

of any name, stile, honour, title, estate or dignitie, landes, tenements or hereditaments, within this his Grace's realm, these wordes following, or words of like effect, shall alway be mentioned and expressed within every the sayd giftes or grauntes, that if the same person or persons unto whome the same gift or graunt, giftes or grauntes shall bee so made, or any of his heyres or assignes having his estate in the same or any part or parcell thereof, doe from henceforth make any confederation with any of his Highnesse rebels or enemies, against his Majestie as is before rehearsed, or attempt any wilfull warr, invasion or destruction against his Majestie, or his true faithful and obedient subjects, or by any other mean doe transgresse anie part of his or their duties of allegiance which the lawe declareth to bee treason, and thereof shall bee condemned by the due order of his Highnesse lawes, his heyres or successours, or doe not performe such promise, agreement, graunt or pactes as they or anie of them shall make, contract and agree with his Grace's said deputitie, and the secret counsell for the time being present, mentioned and appearing within the said letters patents, that then the same person or persons so condemned in manner and forme before rehearsed, shall lose and forfeit to our said sovereign lord, his heyres and successours all such title, interest, possession, as hee or they shall have and clayme by force of any such graunt unto him or them, or to their auncestours, or to the auncestours of any of them, or to any other whose estate or estates he or they shall so have in any such honor, name or dignitie, lands, tenements, or hereditaments, or any parcell or parcells thereof: any matter, cause, thing or things comprised in any such graunts or gifts notwithstanding.

A. D.
1542.

Words to be
inserted in all
gifts or
graunts by
crown.

III. Provided always, that all other forfeitures for treasons shall bee saved to the King's highnesse, his heyres and successours, as they were afore the making of this act.

Saving to the
King all o-
ther forfei-
tures for trea-
son as before.

C H A P. V.

An Act for the Suppression of Kylmaynham and other Religious Houses. Rot. Parl. cap. 6.

WH E R E A S Sir John Rawson, knight, late pryour of the priory or hospitall of Saint John's Jerusalem, in this the King's highnesse realm of Ireland, and other divers and sundry abbottes, priors, abbeses, prioresses, and other ecclesiasticall governours and governesses of divers monasteries, abbeyes, priories, nunries, colledges, hospitalles, houses of friers, and other religious and ecclesiasticall houses and places within our sovereign lord the King's realm of Ireland, of their own free and voluntarie mindes and assents, without constraint, coaction, or compulsion of any manner person or persons, sithence the fourth day of Februarie, in the seven and twenty year of the raign of our most now dread sove-

Recital of
the voluntary
surrender of
religious
houses.

A. D.
1542.
Chap. 5.

And the
renouncing
and leaving
the same.

Enacting
part.
Said houses
given to the
King, his
heirs and suc-
cessors for
ever.

raign Lord, by the due order and course of the common lawes of this his said realm of Ireland, and by sufficient writings of record under their convent and common seales, have severally given, graunted, and by the same their writings, severally confirmed all their said hospitalls, monasteries, abbeyes, priories, nunries, colledges, hospitalls, commaundries, houses of friers, and other religious and ecclesiasticall houses and places, and all their scites, circuits, and precincts of the same, and all and singular their manours, lordshippes, commaundries, mesuages, lands, tenements, meadowes, pastures, reversions, rents, services, woods, tyethes, pensions, portions, churches, chappels, advowsons, parsonages, annuities, rights, entries, conditions, commens, leetes, courts, liberties, priviledges, and franchises, apperteyning, or in any wise belonging to any such hospitall, monasterie, abbey, priory, nunry, college, commaundry, house of friers, and other religious and ecclesiasticall houses, or places, or to any of them, by whatsoever corporation, name or names, they, or any of them, were then named or called, and of what order, habite, religion, or other kind or qualitie soever they be, or any of them, then were reputed, knowne, or taken, to have and to hold all the said hospitals, monasteries, abbeyes, priories, nunries, hospitalls, commaundries, houses of friers, and other religious and ecclesiasticall houses and places, scites, circuits, precincts, mannors, lands, tenements, meddowes, pastures, rents, reversions, services, and other the premisses to our said soveraign lord the King, his heyres and successors for ever, and the same their said hospitals, monasteries, abbeyes, priories, nunries, colledges, hospitals, commaundries, houses of friers, and other religious and ecclesiasticall houses and places, scites, circuits, precincts, mannors, lordshippes, commaundries, graunges, mesuages, landes, tenements, meddowes, pastures, rents, reversions, services, and other the premisses, voluntarie, as is afore-said, have renounced, left, and forsaken, and every of them, have left, renounced, and forsaken: Be it enacted by the King our soveraign lord, and the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That the King our soveraign lord shall have, hold, possed, and enjoy to him, his hyres, and successors, for ever, the said late hospitall of saint John's Jerusalem in this realm, and all and singular such late monasteries, abbeyes, priories, nunries, colledges, hospitalls, commaundries, houses of friers, and other religious and ecclesiasticall houses and places of what kind, nature, quality, diversity of habits, rules, professions, or orders, they or any of them were named, knowne, or called, which sithence the said fourth day of Februarie, in the said seven and twentie year of the raign of our said soveraign Lord, have been dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any other mean, come, or ought to come or bee to his Highnesse, and by the same
authoritie

authoritie and like manner, shall have, hold, possed, and enjoy all the scites, circuites, precinctes, mannours, lordshippes, commaundries, graunges, mesueges, lands, tenements, meaddowes, pastures, rentes, reversions, services, woods, tythes, pensions, portions, parsonages, appropriate vicarages, churches, chappels, and advowsons, nominations, patronages, annuities, rights, interests, entries, commodities, conditions, commons, leetes, courts, liberties, priviledges, franchises, and other whatsoever hereditaments, which appertayned or belonged to the said late hospitall, monasteries, abbeyes, priories, nunries, colledges, hospitalles, houses of friers, and other religious and ecclesiasticall houses and places, or to any of them, in as large and ample manner and forme, as the said Sir John Rawson, late priour of the said hospitall of the said saint John's Jerusalem in Ireland, and the late abbots, priours, abbessees, prioresses, commaundours, and other ecclesiasticall governours and governesses of the said late hospitall, or of such late monasteries, abbeyes, priories, nunries, colledges, hospitalls, commaundries, houses of friers, and other religious or ecclesiasticall houses or places had, held, or occupied, or of right ought to have had, holden, or occupied in the right of the said late hospitall, monasteries, abbeyes, priories, nunries, colledges, hospitalls, houses of friers, or other religious or ecclesiasticall houses or places, at the time of the said dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or by any other manner of meanes, coming of the same to the King's highnesse, sithence the said fourth day of Februarie above specified.

A. D.
1542.
Chap. 5.

In as ample
manner as the
abbots, &c.
held them.

II. And it is further enacted by authoritie aforesaid, That not onely the said late hospital, monasteries, abbeyes, priories, nunries, colledges, hospitalls, commaundries, houses of fryers, and other ecclesiasticall and religious houses and places, scites, circuits, precincts, mannors, lordships, graunges, mesuages, lands, tenements, meadowes, pastures, rents, reversions, services, and all other the premisses, forthwith and immediately, and presently, but also all other monasteries, abbeyes, priories, nunries, hospitalles, commaundries, houses of fryers, and all other religious houses, and places which hereafter shall happen to be dissolved, suppressed, renounced, relinquished, forfeited, given up, or by anie other manner of meanes come to the King's highnesse; and also all the scites, circuits, precincts, mannors, lordshippes, commaundries, graunges, mesuages, landes, tenements, meadowes, pastures, rents, reversions, services, woods, tyethes, pensions, portions, parsonages, appropriate vicarages, churches, chappels, advowsons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, leets, courts, liberties, franchises, and other hereditaments, whatsoever they be, belonging or appertaining to the same, or to any of them, whensoever and assoon as they shall be dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any

All other
religious hou-
ses hereafter
dissolved,
with their
revenues, shall
be vested in
the actual
and real seisin
of the King.

A. D. other mean come unto the King's highnesse, shall be vested, deemed
 1542. and adjudged by authoritie of this present Parliament, in the very
 Chap. 5. actual and real seyson and possession of the King our soveraign lord,
 in their pre- his heyres and successours for ever, in the state and condition as
 sent state and condition. they now be, and as though as well the said late hospitall, and the
 said late monasteries, abbeyes, priories, nunries, hospitalls, commaundries, houses of friers, and other religious houses, and places
 dissolved, suppressed, renounced, relinquished, forfeited, given up,
 or come to the King's highnesse, as is aforesaid, as also the said monasteries, priories, nunries, hospitalls, commaundries, houses of friers, and other religious houses and places which hereafter shall
 happen to be dissolved, suppressed, renounced, relinquished, forfeited, given up, or come to the King's highnesse, and the said
 scites, circuits, precincts, manours, lordships, graunges, lands, tenements, and other the premisses, whatsoever they be, and every
 of them, were in this present act specially and particularly rehearsed, named, and expressed by expresse words, names, titles, and
 faculties, and in their natures, kinds, and qualities. Saving
 to all, and every person or persons, and bodies politique, and their heyres and successours, and the heyres and successours of
 all and everie of them, other then the sayd late priour of saint John's Jerusalem in Ireland, and his successours, and the said late
 abbottes, priours, abbesses, prioresses, commaundries, and other governours and governesses of the said late monasteries, abbeyes,
 priories, nunries, hospitalls, commaundries, houses of friers, and other religious houses and places, and their successours, and the
 successours of everie of them, and such as pretend to bee founders, patrons, or donours of the sayd hospitall, monasteries, abbeyes,
 priories, nunries, hospitalls, houses of fryers, and other religious houses and places, or any of them, or of any landes, tenements,
 rents services, parsonages, tythes, or other hereditaments, to them or anie of them belonging, and their heyres and successours,
 and the heyres and successours of every of them, and also other then such person and persons, their heyres and successours, and
 everie of them, which bee barred, and whose right, title, intrest and possession, of or in the premises, or anie part thereof,
 bee not saved in the last Parliament heretofore holden within this realm; and other then the now abbottes, priours, abbesses,
 prioresses, and other governours and governesses of such monasteries, abbeyes, priories, nunries, hospitalls, houses of friers, and other
 religious houses and places which shall hereafter happen to bee dissolved, suppressed, renounced, relinquished, forfeited, given up,
 or come to the King's highnesse, and such as pretend to bee foundours, patrons and donours of such hospitalls, monasteries, abbeyes,
 priories, nunries, houses of fryers, and other religious houses and places, or any mannours, mesuages, landes, tenements, or hereditaments,
 to the same or to any of them belonging, and their heyres

as if particularly named
 in this act.

Saving the
 rights of
 others.

heyres and successours, and the heyres and successours of everie of them, all such right, title, clayme, interest, possessions, lawfull entries, rent charges, fee farmes, annuities, leases, offices, fermes, liveries, livings, fees, portions, corrodiess, commens, synodes, proxies, and other profites, which they or any of them have claim, may, or might have had, in or to the premisses, or any parcell or part thereof, in such like form, maner, and condition, to all intents, respects, constructions, and purposes, as if this act had never been made, rents services, and rents seckes, and all other services and suites, which were due, to be payed or done to any person or persons, for or out of the premisses, or any part thereof, only excepted and foreprised out of this clause of saving, next above specified.

A. D.
1542.
Chap. 5.

Rents service, rents seckes, and other services and suites excepted out of the saving.

III. Provided, That this act, or any thing therein conteyned, shall in no wise extend to give benefit to our said sovereign lord, his heirs or successors, for any reentry, in, of, or upon the possession or possessions of any of the lessees, grauntees, their executors, or assignes, or the executors or assignes of any of them, of any lands, tenements, tythes, or hereditaments, demised, graunted, or letten, by any late prior, abbot, prioress or abbess, or any other religious governor or governess to any person or persons, bodies politique or corporate, so that the same lessees or grauntees, their executors or assignes, or any of them, doe tender or pay the rent or rents reserved upon the said leases or graunts, at the receipt of our sovereign lord the King's exchequer of this realm of Ireland, the day of their reentry comprised in their indentures thereof made, or before the King's vicethesaurer for the time being, to the use of our said sovereign lord the King, his heirs or successors, if the said exchequer be then open, if not, the tender or payment of the said rentes to be made, as is before mentioned, within foure days next after the beginning of the next term then next ensuing, or to such person or persons as the King's majestie have appointed or commanded, the payment thereof to be made by his writ of *deliberate*, or to any other person or persons to whom the King's majestie have graunted the reversion and the said rents; this act, or any thing therein contayned to the contrarie notwithstanding.

The King not to re-enter upon the possession of the lessees or grauntees, they paying their rents at the receipt of the Exchequer, &c.

IV. Provided alwayes, and the King's majestie, of his most excellent goodnesse, is pleased and contented, and by authoritie of this present Parliament, be it enacted, That the yearly value of the said rents services, and rents seckes, which any person or persons, bodies politique or corporate, before the fourth day of Februarie, in the twenty seventh year of the King's majestie's reign, might have lawfully claymed, and had out of the said hospitall, monasteries, abbeyes, priories, nunries, houses of friers, and other religious houses and places, or any of them, or out of any the manours, landes, tenementes, parsonages, possessions, or other hereditamentes, aforesaid, or any part thereof, which hath come, or is or shall

The yearly value of rents services and rents seck, payable out of the same, shall be paid as a reward out of the Exchequer, as long as the King in possession.

A. D.
1542.
Chap. 5.

Or by the
King's donee,
lessee, or
grantee.

Power to
enter and di-
strain, if the
rent behind.

Leases or
grants for life
or years, made
within two
years before
the dissolution
of the scite,
&c. not used
to be let to
ferme, but
kept for
maintenance
of hospitality,
shall be void.

come, in or to the possession of his Highnesse, by vertue and authority of this act, or otherwise shall be paid by way of reward out of the King's majestie's exchequer in this his realm of Ireland to such person or persons, bodies politique or corporate, their heires, succeffours, and assignes, as ought to have the same, by the handes of the vicethesaurer of the said realm for the time being, as long as the actuall possession and freehold, and inheritance of the lands, tenements, or hereditaments which were charged with the paymentes of such rents services, and rentes seckes, shall be, continue or remaine in the King's possession, and that the vicethesaurer, taking an acquittance for the payment thereof, from time to time, shall be allowed for the same in the said exchequer, without any further bill or warrant to be sued in that behalfe, and when the King's highnesse hath or shall give or leese to any person or persons any estate of yeares, freehold, or of inheritance, to his or their owne uses and profite, in any of the said landes, tenementes, or hereditaments, which were charged to the payment of the said rents services, and rentes seckes, then the King's donees, lessees, and grauntees, and their heyres and assignes, from thenceforth shall bear, yeald and pay one yearely rent of the yearely value of the said rentes services and rentes seckes, to such person or persons, bodies politique or corporate, their heires, succeffours, or assignes, which of right ought to have the same, at such feastes and times as the said rents services, and rentes seckes hath been used and accustomed to bee payed and yeelded; and if it fortune the said yearely rent to be behind unpaid, in part or in the whole, at any of the said feastes, or times when it ought to be payed, that then it shall bee lawful to every such person or persons, their heires and assignes, as ought to have the same, to enter into any such mannours, lordshippes, landes, tenementes, and other hereditamentes, and every parcell thereof, whereof they might have lawfully claymed and had the said rentes services, and rentes seckes, and there to distraine; and the distresses so taken to leade and carry away, and the same to withhold, retain, and keep, unto such time as they be payed of the said yearely rent, and the arrerages of the same, if any shall fortune to bee.

V. And be it enacted by authoritie abovesaid, That if the said late prior, or any other late abbot, prior, abbess, prioress, or other governour, or governess aforesaid, within two yeares next before the dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or comming to the King's highnesse, of his late hospitall, monasteries, abbey, priory, nunrie, house of fryers, or other religious houses, or places, have made any lease or graunt, under his or their convent or common seal, or otherwise for term of life, or for term of yeares of the scite, circuite, and precinct, of his said late hospitall, monasterie, abbey, priory, nunrie, house of fryers, or other religious houses, or places, or any part thereof, or of any mannours, mesuages,

mesuages, lands, tenements, milles, tythes, graunges, parsonages appropriate, or other hereditaments, set, lying, or being in the same townes or fieldes, whereas the said hospitall, monasterie, abbey, priory, hospitall, nunrie, house of fryers, or other religious house or place is scituated, which belonged or appertayned to his said hospitall, monasterie, abbey, pryorie, nunrie, house of fryers, or other religious houses or places, and which before such lease or graunte thereof was not commonly used to be set, ne let to ferme, but kept and reserved in the manurance, tillage, or occupation of the said prior, abbots, priors, abbessees, prioresses, or other governours or governesses aforesaid, for the maintenance of hospitality and good housekeeping in their houses; or if the said prior, or any of the said late abbots, priors, abbessees, prioresses, or other governor or governesses aforesaid, at any time within two yeares next before the dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or comming to the King's highnesse of his late hospitall, monasterie, abbey, priory, nunrie, house of fryers, or other religious house or place, hath made any lease or graunt under his convent or common seal, or otherwise, for terme of life, or for terme of yeares, of any mannors, mesuages, lands, tenements, parsonages appropriate, or other hereditaments, belonging or appertaining to his said hospitall, abbey, priory, nunry, hospitall, house of fryers, or other religious house or place, to the use, commoditie, or behoofe of any religious person or persons, or to the intent that any religious person or persons should take any commoditie, benefite, or profit by the same, unlesse it be for the service of a parish priest or curate to serve the cure of a parish church, with the auncient stipend accustomed to goe with the same, any time during the space of tenn yeares next before the making of this present act, and the same to continue but onely during the life of the said religious person, or upon condition, pacte, bargain, or promise, by writing, word, or otherwise, that if their house had been suppressed, surrendred, or otherwise dissolved, that then the lease to be good, and the lessee to have and enjoy the same, and if not, then the same lease to be utterly void, and the lessee to take no benefite, ne commoditie thereby: that then all and everie such lease and leases, had or made as is aforesaid, shall be utterly frustrate, voyde, and of none effect, to all and singular constructions, purposes, and intents; any thing in this act conteyned notwithstanding; so that the King's said lessees, or grauntees for terme of life or yeares of the said monasteries or houses, being not of the houses of friers, or their assignes, of whose possessions and hereditaments any lease by authority of this act shall bee avoyded, doe dwell and keep hospitalitie in the said house or monasterie.

VI. Provided also, That this act or any thing therein contained, shall not extend to avoyd or adnull any lease or graunt for terme of life or yeares, made by any late prior, abbot, prior, abbesse, or prioress, This act not to extend to avoyd leases of the mills, &c.

A. D. 1542. Chap. 5. or any other religious governour or governess, to any person or persons, bodies politique or corporate, of the milles, scite, circuite, or precinct, or other hereditaments, set, lying, or being within the precinct of any late religious house or place, or within the towne or place whereas the said religious house or place is, where as hospitalitie is or shall not bee kept: and this proviso, last before specified, not to extend to any lease or leases made of any parcell of the scite, ambite, precinct, or circuite of any the said house or houses of friers.

This act not to prejudice grantees for life or years of lands, &c. before given by the King in fee or fee tail.

VII. Provided alwayes, and be it enacted by authoritie aforesaid, That this present act, or any proviso, clause, or article therein containd, bee not hurtfull or prejudicial to any person or persons, bodies politique or corporate, their heyres, successours, or assignes, having any lease for terme of life or yeares, made by any abbot, prior, abbess, or prioress, or other governour or governess aforesaid, of any scities, circuites, lands, tenements, parsonages, tithes, or other hereditaments, which before the making of this act hath been given by the King's majestie to any person or persons, bodies politique or corporate, in fee simple or fee taile, and which be out of his Highness possession by reason of such giftes or graunts thereof made: but that all and singular the lessees thereof shall be in the same estate and condition against the King's donees and grantees in fee simple or fee taile, their heyres, successours, or assignes, as they should have beene, if this act had never beene had ne made; any thing in this act to the contrarie thereof notwithstanding.

Leases or grants by governors of religious houses (herein named) of parsonages appropriate, or tithes, within two years before the dissolution, which were not within four years next before let to farm, void.

VIII. And it is enacted by authority aforesaid, That if any of the late governours or governesses of the late houses of Connal, and Saint John's of Thistildermot in the countie of Kildare, Loughsewdy, Tristernagh, Fower, and Saint John's of Kenlis in the countie of Mieth, Athirde and Saint Leonarde's besides Dundalke in the countie of Louth, Duiske in the countie of Catherlaugh, Tynterne, Donbrody, and Saint John's of Enyscortie in the countie of Wexforde; Enysioke, Ardmacarte, and Fertnekerah in the countie of Kilkenny, and Kilcoule in the countie of Typperarie, or anie of them, within two yeares next before the dissolution, suppression, renouncing, forfeiting, giving up, or coming to the King's highnesse, of his late hospitall, monasterie, abbey, priory, nunrie, hospitall, house of friers, or other religious house or place next before rehearsed, hath made anie lease or graunt under his or their convent or common seale, or otherwise for terme of life, or for tearme of yeares, of anie parsonages appropriate, or tythes, which belonged and appertayned to any of the said houses of Connal, Saint John's of Thistildermot, Loughsewdy, Tristernagh, Fower, Kenlis, Athirde, Saint Leonard's, Duiske, Tinterne, Donbrody, Enyscortie, Enysioke, Ardmacarte, Fertnekeragh, and Kilcoule, which parsonages or tythes were not at any time within four yeares next before the said two yeares set or let to ferme, but kept and reserved in the manurance, tillage, or occupying of the said late abbot, prior, abbess, prioress,

or other governour or governess aforefaid, for the maintenance of hospitalitie and good house-keeping, be from henceforth utterly frustrate, voyd and of none effect.

IX. It is also enacted by authority aforefaid, That if the said late prior, or any late abbot, prior, abesse, prioress, or other governour or governess aforefaid, within two yeares next before the dissolution, suppression, renouncing, forfeiting, giving up, or coming to the King's handes of his late hospital, monasterie, abbey, priory, nunrie, hospital, house of friers, or other religious house or place within this realm, hath made any lease or graunt under his or their convent or common seal, or otherwise for term of life or for yeares, of any manours, mesuages, landes, tenements, parsonages appropriate, or other hereditamentes belonging or appertaining to his late hospital, monasterie, abbey, priory, nunrie, house of friers, or other religious house or place yielding therefore any yearly rents and fermes in money, which were not any time within four yeares next before the said two yeares set or let to ferm for money, but onely for port of corne, or marts, or for port of corne and money, or marts and money, or corne, marts and money to be paid, and rendred for the same, for maintenance of hospitalitie and good house-keeping: that then in everie such case if the inheritance of the reversion, rents and fermes reserved in money upon any such lease be in the King's possession, or in the possession of any of his Highness lessees or grauntees for terme of life or yeares, then such person and persons, as have such leases, their executors and assignes, shall surrender and give over the said leases, or els to pay yearly to the King's majestie, his heyres or succcessors, during the interest of their leases, in the place, and for recompence of their rentes and fermes reserved in money, such port of corn or marts, or port of corne and money, or marts and money, or corn marts and money, and all other profits which was used to be payed for all such landes, tenements, or hereditaments so to them letten at any time within the said four yeares, next before the said two yeares, and if such lessees will still hold and keep their said leases and fermes, paying therefore the said port of corn or marts, or corn and money, or marts and money, or corn marts and money, and other profits, as is aforefaid, that then such lessees, their executores and assignes, shall be quite and discharge, aswell against the King's majestie, as against his lessees and fermours for terme of life or yeares, of and for the rents and fermes reserved in money upon their said leases. And also all and every the King's said lessees and fermours, which have any leases for term of life or yeares, of reversions, rents, and fermes, reserved in money of the lands and tenements and other hereditaments so letten, yeelding any rent or ferme, to our said sovereign lord for the same, shall be discharged and acquitted against his Majestie of and for such rent and ferme, as in that case they are bounden to pay.

A. D.
1542.
Chap. 5.

Leases with-
in 2 years
yielding year-
ly rent in mo-
ney, which
were not with-
in 4 years be-
fore so let,
but only for
port of corn
or marts, &c.
if the inheri-
tance of the
reversion is in
the King or
his lessees or
grantees, shall
be surrender-
ed: or else
during the
interest of
such leases,
instead of such
rent in mo-
ney, port of
corn, &c. shall
be paid.

A. D. X. Provided alway, That if any of the King's grauntees or
 1552. lessees, which have in ferme for terme of life or yeares, any of the
 Chap. 5. said houses of Connall, Tristeldermot, Loughsewdy, Tristernaugh,
 Fower, Kenlis, Athirde, Saint Leonardes, Diufke, Tinterne, Don-
 brody, Enescorte, Eneftioke, Ardmacartie, Fertnekeragh, and
 Kilcoule, and also hath in ferme with such houses, as is next afore-
 said, the reversion, rentes and fermes, reserved in money upon leases
 made as is aforesaid, of landes, tenementes, or other hereditamentes,
 which were used within foure yeares next before the two yeares
 aforesaid, to be set and let for port of corne and martes shall have
 and perceive yearly the said porte of corne and martes in the place,
 and for the recompence of their money reserved in rente and ferme,
 for the better maintenance of hospitalitie and good house-keeping in
 and upon the houses next above remembred to them letten, any
 thing in this act to the contrary thereof notwithstanding.

The King's
 lessees or gran-
 tees of the a-
 bove named
 houses shall
 upon such
 leases receive
 yearly, in re-
 compence of
 the money,
 the said port
 of corn, &c.
 for better
 maintenance
 of hospitality.

If the King's
 said grauntees
 dwell not
 continually
 and keep hos-
 pitality in said
 houses, their
 grants shall
 be void,

and then the
 lessees of the
 abbots, &c.
 shall enjoy a-
 gain, paying
 to the King
 such rent as
 shall be valued
 by commissi-
 oners named.

XI. And it is further enacted by authority aforesaid, That if any
 of the King's grauntees, or lessees, or his or their able and sufficient
 assignes, which have, or hereafter shall have, in ferme for terme of
 life or of yeares, any of the said houses of Connall, Thrifteldermot,
 Loughsewdy, Tristernaugh, Fower, Kenlys, Athirde, Saint Leo-
 nards, Dinke, Tynterne, Donbrody, Enescortie, Eneftyoke, Ard-
 macartie, Fertnekeragh, and Kilcoule, doe not continually dwell, in-
 habite, keep household, and hospitalitie, in such houses as before is
 rehearsed, during their interest therein, that then their leases and
 grauntes thereof shall bee voyd and of none effect. And that then
 such person and persons, their executores and assignes, to whom any
 abbot, prior, abbess, prioress, or other governour or governess of
 such houses as aforesaid, hath heretofore made any lease of any of
 the said houses, or of any landes, tenementes, rentes, reversions, par-
 sonages, tythes, or other hereditamentes belonging to them, or any
 of them, shall have and enjoy againe their leases therein: any thing
 in this act aforesaid declared, to the contrary thereof notwithstanding.
 So that alwayes such lessees, so rehaving their leases, their executors
 and assignes, from henceforth yeeld, pay, and doe yearly for the
 same to the King's highnesse, his heyres and successors, as much
 yearly rentes, fermes, and profites, as they bee set and valued, by
 the survey of the right honourable Sir Anthonie Seintleger, Knight,
 the King's deputie of this his realme of Ireland, Thomas Walsh, one
 of the King's barons of his exchequer in England, John Mynn and
 William Cavendish, his Grace's auditors, being his Highnesse com-
 missioners assigned for the same.

Leases by
 abbots, &c.
 within two
 years, not re-
 serving the
 old rents
 usual for 10
 years past,

XII. And it is further enacted by authority aforesaid, That if
 the said late priour, or any late abbot, priour, abbess, prioress, or
 other governour or governess aforesaid, within two yeares next be-
 fore the dissolution, suppression, renouncing, relinquishing, forfeit-
 ing, giving up or comming to the King's highness, of his late hospi-
 tal, monasterie, abbey, priorie, nunrie, hospital, house of friers, or
 other

other religious house or place, hath made any lease or graunt, under his or their convent or common seal, or otherwise for terme of life, or for terme of yeares, of any mannors, mesuages, landes, tenementes, parsonages appropriate, tyethes, pensions, portions, or other hereditamentes, or of any reversion, of any mannors, mesuages, lands, tenements, parsonages appropriate, tyethes, pensions, portions, or other hereditaments, which appertained to his said late priorie, monasterie, abbey, nunrie, hospital, house of friers, or other religious house or place, the inheritance of the possession or reversion of which mannors, mesuages, landes, tenementes, reversions, parsonages, tyethes, pensions, portions and hereditamentes, bee now in the King's hands, or shall come to his hands, by virtue and authority of this act; and upon which lease or leases, graunt or grauntes so made, the usual and old rentes and services, accustomed to be yeelded and reserved by the space of tenn yeares, next before the first day of this present Parliament, is and bee not thereupon yeelded and reserved, that then the lessees and grauntees, to whom any such lease or graunte is so made, shall have and enjoy the same, so that such leases were made without like fraud, covin or collusion, as is aforesaid: and so that the said lessees, their executors and assignes, yeeld and pay therefore yearly, during their interest in their leases to the King's highness, his heyres and successors, so much yearly rente, ferme and profite, as hath beene at any time within the said space of tenn yeares yeelded, done, and paid out of, and for the same.

A. D.
1542.
Chap. 5.
shall be enjoyed by such lessees, if made without fraud, paying to the King so much yearly rent as within 10 years has been paid.

XIII. And it is also enacted by authority aforesaid, that if the said late prior, or any late abbot, prior, abbess, prioress, or other governour or governess above said, within two yeares next before the dissolution, suppression, relinquishing, forfeiting, giving up, or comming to the King's highness, of his late hospital, monastery, abby, priorie, nunnerie, hospitall, house of friers, or other religious house or place, hath made any lease or graunt, for any time above the terme of one and twentie yeres, of any mannors, mesuages, landes, tenementes, meddowes, pastures, woods, parsonages appropriated, tyethes, pensions, portions, churches, chappels, or other hereditaments whatsoever they bee, whereof or in the which any estate or interest for terme of life or yeares, at the time of the making of any such graunt or lease then had his being or continuance, and then was not determined, finished, extinct nor expired, and which lease is not taken away by authority of this act, that then every such lessee and grauntee, to whom any such lease or graunt is or hath been made, shall not have, possede, ne enjoy the same, but onely for terme of twentie and four yeares next after the commensment or beginning of the said last lease.

Leases with in 2 years for above 21 years, a former interest then unexpired, shall, if not taken away by this act, be good for 24 years only,

XIV. Provided alway, That such leases be made without like fraude, covine, or collusion, as is aforesaid, and that the lessees having and enjoying the same, their executors and assignes, shall yeeld and pay for the same yearly, during their interest therein, the old usual and accustomed rentes and fermes, in forme as is aforesaid.

Provided made without fraud.

And the lessees paying the old rent.

A. D. 1542. Chap. 5. And if the yeares mentioned or comprised in such leases be under the number of foure and twenty yeares, that then the said lessees thereof shall have and enjoy their said leases, according to the year and yeares comprised and mentioned in the said lease or graunt, and not above, yeelding and paying therefore as is aforesaid.

The King's lessees Y. of the reversion of lands, &c. evicted by this act, shall have abatement of their rents in the exchequer. XV. Provided alway, and be it enacted by authority aforesaid, That if the King's majestie hath made any lease for terme of yeares of the reversion of any landes, tenementes, parsonages, tyethes, or other hereditamentes, which at any time hereafter by authority of this act shall fortune to be evicted from the possession of the King's graces fermours, lessees, and come to the King's majesties disposition, gift or graunt, that then in every such case the King's said lessees, fermours and grauntees, and their assignes, shall be defalked, abated, and allowed in the King's exchequer within the said realme, of and for such and so much yearely rent and ferme, as they paid for the said landes, tenementes, parsonages, tyethes, or other hereditamentes aforesaid, evicted out and from their possession by authority of this act, if such rente and ferme may be certainly knowen by their leases; and if not, then they shall be alway rated, defalked, allowed, and abated for the said landes, tenementes, or other hereditamentes so evicted by the discretion of the King's thesaurer and barons of his Grace's said exchequer in Ireland.

Feoffments, fines and recoveries, &c. within 2 years without the King's licence, void.

XVI. And it is also enacted by authority aforesaid, That all feoffments, fines, and recoveries had, made, knowledged or suffered to any person or persons by any late abbot, prior, abbess, prioress, or other governour or governess aforesaid, without the King's licence under his great seal of this realme, made by his Grace's warrant under his signe, and bearing a teste, in his Highnesse owne name, within two yeares next before the dissolution, renouncing, relinquishing, forfeiting, giving up or comming to the King's highnesse of any of the said late monasteries, abbeyes, priories, nunries, hospitalls, house of friers, or other religious houses or places afore specified, or of any mannours, mesuages, landes, tenementes, or other hereditamentes whatsoever they bee, which any of the said late abbotes, priors, abbesses, prioresses, or other governours or governesses, or any of them, or any of their predecessors, had or held in the right of their houses, of the gift, graunt, or confirmation of our said soveraign lord, or of any his Highnesse most noble progenitors, or of the which monasteries, abbeyes, priories, nunries, hospitalls, houses of fryers, or other religious houses and places, our said soveraign lord was founder or patron, or which houses, mannors, mesuages, landes, tenementes, and other hereditamentes, were in possession of the said late monasteries, abbeyes, priories, nunries, hospitalls, houses of friers, and other religious houses and places, shall be utterly voyd and of none effect.

XVII. Provided also, that this act or any thing therein containned, shall not extend to adnihilate or avoyd any lease or graunt
6 feoffment,

feoffement, fine, or recovery had or made of any landes, tenementes, tithes, or other hereditamentes, by or against any late priour, abbot, prioressse, abbessse, or any other religious governour or governessse, for payment of any debt or dutie, that came to the use or profite of any late religious house or place, which shall be proved by writing, witnesse, or otherwise before the two chiefe justices, the chiefe baron, and the vicethesaurer for the time being, or any three of them, (so that the said vicethesaurer be one) and so by them allowed till such time as the lessees, grauntees, feoffees, recoverers, conisees, their heires, executors, or assignes of the said landes, tenementes, tythes, or other hereditamentes, have and shall receive, perceive, and take the said debts, so proved and allowed as is aforesaid, of and upon the rents of the said landes, tenementes, and others the premisses, accompting the said landes, tenementes, and other the premisses to be of such value yearly in rent, as they have been customably used to be set and let for at any time during the space of tenne yeares next before the making of this present act.

A. D.
1542.
Chap. 5.

Not to
avoid grants,
&c. for debts
for a religi-
ous house,
proved before
the vice trea-
surer, &c.

Such gran-
tees, &c. to
take the
rents, till
debts paid,
accounting
the value at
usually let
within 10
yeares.

XVIII. And it is further enacted by authoritie aforesaid, That if any abbot, priour, abbessse, prioressse, or other governour or governessse of any monastery, abbey, priorie, nunrie, hospitall, house of friers, or other religious house or place, which shall happen hereafter to be dissolved, suppressed, renounced, relinquished, forfeited, given up, or come to the King's highnesse, within two yeares next before the first day of this present Parliament, have made, or hereafter doe make any lease or graunt under his convent or common seal, or otherwise, for terme of yeares or life of the scite, circuit, or precinct of his monastery, abbey, priory, nunrie, hospitall, house of friers, or other religious house or place, or of any part thereof, or of any manours, messuages, landes, tenementes, parsonages appropriate, pensions, portions, or other hereditaments belonging or appertaining to his said monasterie, abbey, priory, nunrie, hospitall, house of friers, or other religious houses or places, which manours, messuages, graunges, landes, tenementes, parsonages appropriate, tyethes, pensions, portions, or other hereditaments, whatsoever they be, were not before the said lease commonly used to be set nor let to ferme, but kept and reserved in the manurance, tillage, and occupation of the said governour or governessse for the maintenance of hospitalitie and good house-keeping or now be in the manurance, tillage, or occupation of the said governour or governessse for the maintenance of hospitalitie, and good house-keeping within two yeares next before the first day of this present Parliament, hath made or hereafter shall make any lease or graunt for terme of life or yeares of any mannours, messuages, landes, tenementes, medowes, pastures, woods, parsonages appropriate, tyethes, pensions, portions, churches, chappels, and other hereditaments, whatsoever they be, whereof and in the which any estate or interest for terme of life, yeare or yeares, at the time of making of any such lease or graunt then had his being or continuance, and then was not determined, finished, or expired, or with-

Leases
within 2 yeares
of lands not
usually let of
houses here-
after dissolved,

or of lands
in lease at the
time.

A. D. 1542. Chap. 5. in two yeares next before the first day of this present Parliament hath made or hereafter shall make any lease or graunt for terme of life or yeares of any mannours, mesuages, landes, tenementes, meddowes, pastures, woods, parsonages appropriate, tythes, pensions, portions, churches, chappels, or other hereditaments, whatsoever they bee, upon which leases and graunts the usual and old rents and fermes, accustomed to bee yeilded and reserved by the space of xx. yeares next before the first day of this present Parliament, is or bee not, or hereafter shall not bee, thereupon reserved and yelden, or if any such governour or governess of any such monasterie, abbey, priorie, nunrie, hospitall, house of friers, or other religious house or place, which hereafter shall happen to bee dissolved, suppressed, renounced, relinquished, forfeited, given up, or come to the King's highnesse within two yeares next before the first day of this present Parliament, hath made or hereafter shall make any bargain, or sale of his woods, which woods bee yet growing or standing, that then all and every such lease, graunt, bargain, or sale of wood or woods, as is aforesaid, shall be utterly void and of none effect.

Or not reserving the old rent 20 years before,

Or sales of woods, yet growing or standing, void.

Feoffements, &c. by governors of houses hereafter dissolved, without the King's licence, void.

XIX. And it is also enacted by authoritie aforesaid, That all feoffement, fines, and recoveries had, made, knowledged, or suffered, within two yeares next before the first day of this present Parliament, or hereafter to be had, made, knowledged, or suffered by any governour or governess of any monasterie, abbey, priorie, nunrie, hospital, house of friers, or other religious house or place, which hereafter shall happen to bee dissolved, suppressed, renounced, relinquished, forfeited, given up, or come to the King's highness, without the King's licence under his great seale by his signe under his warrant, and under his owne teste, of any mannours, mesuages, landes, tenements, or other hereditaments whatsoever they be, which the said abbots, priours, abbesses, prioresses, or other governours and governesses had or have in the right of their houses, which hereafter shall happen to be dissolved, suppressed, renounced, relinquished, forfeited, given up, or come the King's highness, as is aforesaid, or any of them, or that anie of their predecessors had or held, have or hold, of the gift, graunt, and confirmation of our said soveraign lord, or of anie of his Highness progenitors, or of the which monasteries, abbeyes, priories, nunries, hospitalls, houses of friers, or other religious houses or places, our said Sovereign lord is founder or patron, or which mannours, messuages, landes, tenements, or other hereditaments were or be of the old or ancient foundation or possession of the said monasteries, abbeyes, priories, nunries, hospitalls, houses of friers, or other religious houses or places, shall be utterly voyd and of none effect.

Leases for lives, then unexpired, shall be good, reserving the rent usually

XX. Provided also, and be it enacted by authority aforesaid, That if anie abbot, prior, abbess, prioress, or other late governour or governess, within two yeares next before any such dissolution, suppression, renouncing, relinquishing, giving up, or comming unto the King's

King's highness of the premisses, or of anie parcell thereof, as is
aforesaid, have made anie devise, lease, or graunt to anie person or
persons for tearme of life or lives of any manours, mesuages lands,
tenements, parsonages appropriate, tyethes, pensions, portions, or
other hereditaments aforesaid, which person or person or any of
them, at the time of the said lease, devise, or graunt had and held
the said tearme of life or lives, or for tearme of yeares, then not
expired, that then the same person and persons, to whom any such
lease or graunt hath beene so made, shall have and hold the same for
tearime of their life or lives, so that the old rent, used and accus-
tomed to bee yeelded and payed at any time within ten yeares before,
be thereupon reserved; this act or any thing therein conteyned to
the contrarie notwithstanding.

A. D.
1542.
Chap. 5.
paid for ten
years.

XXI. Provided alway, and be it enacted by authoritie aforesaid,
That all and singular leases and graunts made by the cobby to any
person or persons of any the said mesuages, lands, tenements,
parsonages appropriate, tyethes, pensions, portions, or other here-
ditaments aforesaid, for tearme of life or lives, which by the cus-
tome of the countrey hath beene demised, letten, or graunted by
cobby of court roll, shall be good and effectual in the law; so that
the old rent be reserved by and upon every such lease and leases;
this act or any thing therein conteyned to the contrary notwith-
standing.

Grants by
the copy for
life, according
to the custom,
good, refer-
ving the old
rent.

XXII. Provided alway, and be it enacted by authority aforesaid,
That all and every person and persons, their heyres and assignes,
which sithence the said fourth day of Februarie by licence, pardon,
confirmation, release, assent, or consent of our saide Sovereigne lord
the King under his great seale, passed by his Highness warrant un-
der his own teste, heretofore given, had, or made, or hereafter to
be made, had, obtayned, or purchased by indenture, fine, feoffment,
recovery, or otherwise, of the said late priour, abbots, priors, ab-
besses, prioresses, or other governour or governesses of any such hos-
pital, monasteries, abbeyes, nunries, hospitalls, houses of friers,
or other religious houses or places, any monasteries, priories, hospi-
talls, commaundries, mannours, mesuages, landes, tenementes, me-
dowes, pastures, churches, chappels, parsonages, tythes, pensions,
portions, or other hereditamentes, shall have and enjoy the same
according to such writings and assurances, as bee thereof before the
date of this present Parliament, or hereafter shall be, had or made.
Saving to all and every person and persons, bodies politike, their
heyres and successours, and the heyres and successours of every of
them, other then the said late abbots, priors, abbesses, prioresses,
and other governours and governesses, and their successours, and the
successours of every of them, and such as pretend to be founders,
patrones, or donors of the said monasteries, abbeyes, priories, nun-
ries, hospitalls, houses of friers, and other religious houses and places,
or of any of them, or of any manours messuages, landes, tenements,

Grants by
the King's
licence good

Saving the
rights of
other.

A. D. 1542.
Chap. 5. or other hereditaments, lately belonging to the same, or to any of them, and their heyres and successours, and the heyres and successours of every such foundor, patron, or donor, all such right, title, interest, possession, lawful entries, annuities, commodities, rent charges, fee fermes, offices, fees, liveries, and livings, pensions portions, corrodiess, synodes, proxies, and other profits, which they or any of them have, ought, or might have had in or to the said monasteries, abbeyes, priories, nunries, hospitalls, mannours, mesuages, landes, tenementes, reversions, tythes, pensions, portions, or other hereditamentes, at any time before any such purchase, indentures, fines, feoffements, recoveries, and other lawfull meane, betweene any such parties had or made, as is abovesaid, this act or any thing therein containd to the contrary notwithstanding.

Confirmation of the King's purchases since 4th Feb. 27 H. 8. notwithstanding. misrecital, &c.

XXIII. And where our said soveraign Lord, sithence the fourth day of Februarie, the said twentie seventh yeare of the raigne of our said Soveraign lord, hath obtayned and purchased, as well by eschaunge as by gifts, bargaines, fines, feoffements, recoveries, deedes enrolled, and otherwise, of divers and fundry persons, many fundry and divers honours, castles, mannours, landes, tenementes, meddowes, pastures, woods, rents, reversions, services, and other hereditamentes, and hath not onely payd divers and fundry great summes of money for the same, but also have given and graunted for the same unto divers and fundry persons divers and fundry mannours, landes, tenementes, and hereditamentes, and other recompences, in and for full satisfaction of all such honours, castles, mannours, landes, tenementes, rents, reversions, services, and other hereditamentes by his highnesse obtayned or had, as is abovesaid: be it therefore enacted by authoritie abovesaid, that our said Soveraign lord the King, his heyres and successours, shall have, hold, possede, and enjoy all such honours, castles, mannours, landes, tenementes, and other hereditaments, as his Highnesse sithence the said fourth day of Februarie the seven and twentieth yeare abovesaid hath obtayned and had by mean of eschange, bargain, purchase, or other whatsoever mean or meanes, according to the true meaning and entent of his bargaine, eschange, or purchase, misrecital, misnaming, or non recital, or not naming of the said honours, castles, mannours, landes, tenementes, and other hereditamentes, comprised or mentioned in the same bargaines or writings made between the King's highnesse or any other partie or parties, or of the townes or countries, where the said honours, castles, mannours, landes, tenementes, and hereditamentes, lye or bin, or any matter or cause whatsoever it be, in any wise notwithstanding. Saving to all and everie person and persons, bodies politique and corporate, and their successours, and everie of them, other then such person and persons, and their heyres, and their wives, and the wives of every of them, bodies politique and corporate, and their successours, and every of them, of whom the King's highnesse hath obtained

Saving the rights of all but the vendors, &c.

tained by exchange, gift, bargaine, fine, feoffement, recoverie, deed enrolled or otherwise, any such honours, castles, mannors, landes, tenementes, and other hereditamentes, as is aforesaid, all such right, title, use, interest, possession, lawfull entries, rent services, rent charges, rent seckes, fee fermes, annuities, commodities, fees, and other profits, which they or any of them have, might, or ought to have had, in, or to the premisses so obtayned and had, or in or to any parcell thereof, as if this act had never been had ne made, this present act, or any thing therein contayned to the contrary notwithstanding.

XXIV. And where it hath pleased the King's highnesse, of his most abundant grace, aswell upon divers and sundry considerations, his Majestie specially moving, as also otherwise to have bargained, sold or chaunged, given or graunted by his Grace's severall letters pattents, indentures, or other writings, under his Highnesse great seale, to divers and sundry person and persons, bodies politique and corporate, and other his loving and obedient subjects, divers and sundry honnours, castles, mannours, monasteries, abbeyes, priories, landes, tenementes, rents, reversions, services, parsonages appropriated, advowsons, liberties, tythes, oblations, pensions, portions, franchises, priviledges, and other hereditamentes, commodities, and profits in fee simple, fee tail, or for terme of life, for avoyding of which said letters pattents, and the contents of the same, divers fundry and many ambiguities, doubts and questions might hereafter arise, be moved and stirred; aswell for misrecitall as non recitall, as for divers other matters, things or causes to be alleaged, objected, or invented against the said letters pattents, as also for lack of finding of offices or inquisitions, whereby the title of his Highnesse therein ought to have been found before the making of the said letters pattents, or for misrecitall, or non recitall of leases, as well of record as not of record, or for lack of the certaintie of the value, or by reason of misnaming of the honnours, castles, mannours, monasteries, abbeyes, priories, landes, tenementes, and other hereditamentes, comprised and mentioned within the same letters pattents, or of townes or countries, where the same honnours, castles, mannours, monasteries, abbeyes, priories, landes, tenementes, rents, and other hereditamentes, lyeth and bethe, as for divers and fundry other suggestions and surmises, which hereafter might happen to be moved, surmised, or procured, against the said letters patents, albeit the words in effect, conteyned in the said letters pattents, bee according to the true intent and meaning of his royall Majestie. Be it therefore enacted by authority of this present Parliament, That aswell all and every the said letters pattents, indentures, and other writings, and every of them made under the great seale of Ireland, by his warrant under his Highnesse hand, or privie seale, and bearing teste in his owne name, or under his great seale of England, sithence the said fourth day of February, in the seven and twentieth yeare of his most noble raign, and all and singular other

A. D.
1542.
Chap. 5.

Confirmation of the King's grants, by letters patent, since said 4th of February, or in 3 years after this act, &c.

Notwithstanding misrecital, want of office found, &c.

A. D. such his Grace's letters pattents, indentures, or other writings, to
 1542. be had or graunted in forme as is aforesaid, to any person or persons,
 Chap. 5. bodies politique or corporate, within three yeares next after the
 making of this present act, of any honnours, castles, mannours,
 monasteries, abbeyes, priories, nunries, hospitalls, houses of friers,
 and other religious houses or places, scites, circuits, precincts, lands,
 tenementes, parsonages, tythes, pensions, portions, advowsons,
 nominations, and all other hereditaments and possessions, of what
 kind, nature, or quality soever they bee, or by whatsoever name or
 names they or any of them bee named, knowen, or reputed, shall
 stand, be good, effectually, and avayleable in the law of this realme,
 to all respects, purposes, constructions, and intents against his Ma-
 jestie, his heyres and successours, without any other licence, dispen-
 sations, or tolleraunce of the King's highnesse, his heyres or succe-
 ssours, or of any other person or persons, whatsoever they bee, for
 any thing or things conteyned, or hereafter to be conteyned, in any
 such letters pattents, indentures, or other writings, any cause, con-
 sideration, or any thing material to the contrary notwithstanding.
 Saving the Saving to all and singuler person and persons, bodies politique and
 rights of o- others. corporate, their heyres and successours, and heyres and successours
 of every of them, other then his Highnesse, his heyres and succe-
 ssours, and the said governours and governesses, and their successours,
 donours, foundours, and patrons aforenamed, and their heyres and
 successours, and other then those person and persons, their heyres
 and assignes, and every of them which bee barred, and whose right,
 title, interest and possession, bee not saved in the last Parliament,
 heretofore holden within this realme, and all other person or per-
 sons, claiming in their right, and to their use, or in the right, or
 to the use of any of them, all such right, title, interest, clayme,
 possession, reversion, remaynder, offices, annuities, rents, services,
 rentes charges, rent seckes, fee fermes, commens, commodities,
 fees and other profites, which they or any of them have, ought, or
 might have had, in, or to any of the said honnours, castles, man-
 nours, monasteries, abbeyes, priories, nunries, hospitalls, landes,
 tenementes, and other hereditamentes, in the said letters pattents
 made or hereafter to bee made, and comprised at the time of the
 making of the said or such letters patents, this act, or any thing
 or things to the contrary, notwithstanding.

XXV. And where divers and fundrie abbots, priours, abbeesses, pri-
 oresses, and other governours and governesses, of any the said late mo-
 nasteries, abbeyes, priories, nunries, hospitalls, houses of friers, and
 other religious houses and places, have had, possessed and enjoyed di-
 verse and fundrie parsonages appropriate, tythes, pensions and por-
 tions, and also were acquitted and discharged of and for the payment
 or payments of tythes, to be payed out, or for the said monasteries,
 abbeyes, priories, nunries, hospitalls, houses of friers, and other reli-
 gious houses and places, mannours, mesuages, landes, tenementes, and
 heredita-

hereditamentes. Be it enacted by authority of this present Parliament, that aswell the King our said Sovereign lord, his heyres and successors, as all and every such persons, their heyres and assignes, which have, or hereafter shall have, any monasteries, abbeyes, priories, nunneries, hospitalls, houses of fryers, or other religious houses and places, scites, circuites, precinctes of the same, or any of them, or any mannours, mesuages, parsonages appropriate, tythes, pensions, portions, and other hereditamentes whatsoever they bee, which belonged or appertained, or which now belong or appertaine to the said monasteries, priories, nunneries, hospitalls, houses of friers, and other religious houses and places, or to any of them, shall have, hold, retaine, keepe and enjoy, aswell the said parsonages appropriate, tythes, pensions, portions, as the said monasteries, abbeyes, priories, nunneries, hospitalls, houses of friers, and other religious houses and places, scites, circuites, mannours, mesuages, landes, tenementes and other hereditamentes, whatsoever they bee, and every of them, according to their estates and titles, discharged and acquitted of payment of tythes, as freely, and in as large and ample manner as the late abbotts, priours, abbeses, prioresses, and other governours and governesses, or any of them had, held or occupied, possessed, used, retayned, or enjoyed the same, or any parcel thereof, at the dayes of their dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or comming to the King's highnesse, of such monasteries, abbeyes, priories, nunneries, hospitalls, houses of friers, or other religious houses or places, at the day of the dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or comming unto the King's highnesse, of any of them: this act, or any thing therein contayned, notwithstanding. Saving to the King's highnesse, his heyres and successors, all and every mannours, rents, services, and other duties whatsoever they bee, as if this act had never beene had ne made.

A. D.
1542.
Chap. 5.
Such abbey
lands as be-
fore the dis-
solution were
discharged of
tithes, shall
continue.

Saving to
the King all
rents, services,
&c.

XXVI. And be it further enacted by authority of this present Parliament, that such of the late monasteries, abbeyes, priories, nunneries, hospitalls, houses of fryers, and other religious houses and places, and all churches and chappells, to them, or any of them belonging, which before the dissolution, suppressing, renouncing, relinquishing, forfeiting, giving up, or coming to the King's highnesse, were exempted from the visitation or visitations, and all other jurisdictions of the ordinary and ordinaries, within whose dioceses they, or any of them bee situated and sett, from henceforth shall bee within the jurisdiction and visitation of the ordinary and ordinaries, within whose dioceses they or any of them bee situated and sett, or within the jurisdiction and visitation of such person or persons, as shall be by the King's highnesse limited and appointed, this act, or any other exemption, libertie, or jurisdiction to the contrary, notwithstanding.

Monasteries
&c. before
dissolution,
exempt from
visitation,
henceforth to
be within the
jurisdiction
and visitation
of the ordin-
ary, or per-
sons appoint-
ed by the
King.

Statuta, Ordinationes & Actiones in Parlamento prædicto apud *Dublin*, die Lunæ, proximo post festum omnium sanctor' viz. sexto die Novembris, anno regni regis præd' tricesim' quarto, coram præfato, deput' similiter tento, edit' in hæc verba. *Anno Dom. 1543.*

C H A P. I.

A. D.

An Act for the Division of Methe in two Shires.

1543.

Meath divided into two shires.

Causes for making this act.

The baronies which shall compose Meath.

FORASMUCH as the shire of Methe is great and large in circuit, and the west part thereof laid about and beset with diverse of the King's rebels, and that in several partes thereof the King's writs for lacke of ministration of justice, have not of late beene obeyed, ne his Grace's lawes put in due exercise. And that the said sheriffe of the said shire, for the time being, most commonly hath beene one of the inhabitants of the English pale, within the said shire, and is not able to execute the King's processe and precepts, and other things belonging to his office, throughout and by all the said shire, and in spèciall in diverse places of the west part of the same, by which diverse of the inhabitants of the same, whose auncestors and predecessors hath beene obedient to the King's highnesse, and his most noble progenitors, of their duetie of obedience, and allegiance unto the King's highnesse, and his lawes, for and by default of due execution of his said lawes: in consideration whereof it is thought meet, that the said shire should be devided, and made two shires, and one of them shall be named and called the countie of Methe, and the other shall bee called the countie of Westmethe, and there shall bee two sherifes, and other officers convenient, within the said shires, and that the King's subjectes thereby should greatly encrease, in obedience unto the King's highnesse and his lawes. Wherefore be it enacted, ordayned, and established by the authoritie of this present Parliament, that the baronies or hundreds of Duleke, Scryne, Slaue, Margallen, Nouan, Kenles, the halfe barony of Fower, next unto Kenles, having and conteyning in the same the paroches of Killalou, Demore, Cloue, Moylagh, Logherne, Oldecastell, and Luyn, Moyfeuragh, Deese, Rathtouh, and Donboyne, shall be in the countie of Methe. And all and singular honours, lordships, castells, mannours, landes, tenementes, and hereditamentes, lying or being within the compasse of the said baronies or hundredes, whatsoever they bee or shall bee, shall stand and bee from the feast of Saint Catherine, the virgin and martyr, which

which shall bee in the yeare of our Lord God a thousand five hundred fortie and two reputed, accepted, deemed, and taken within the said countie of Methe; and that within the same countie there shall be made, ordeyned, elected, and deputed a sheriffe, two coroners, one escheator and clerke of the market, justices of peace and gaole deliverie, knightes of the shire, and all other officers and ministers, according as in the said shire of Methe before this time hath beene used and accustomed, as oft as need shall require; which sheriffe, coronors, escheators, clerke of the market, justices of peace and gaole deliverie, officers, and ministers, so to be made, ordeyned, elected, and deputed, and every of them, shall have the same and like authoritie, power, preheminance, priviledge, and profites within the said baronies, precinctes, limites, and boundes, now by this act made in the said countie of Methe, as the like officers in times passed had within the same shire of Methe, and in none other limite or place within the said whole shire.

II. And further, by the same authoritie it is ordeyned and enacted, That Dalton's countrey bee from henceforth made and named the baronie or hundred of Rathcomyrte; and Delamar's countrey, named Moywrackry, made and named the barony or hundred of Rossaughe; and Tyrrel's countrey, named Fertullaghe, made and named the barony or hundred of Fertullaghe; and Dillon's countrey, named Maghirquirke, made or named the barony or hundred of Kilkenny west; which barony or hundred of Kilkenny west shall have and contayne in the same the paroches of Kilkenny, Dromvrane, Bonowne, Oughvalle, Artenecrane, Alone, and Brawney-Iwryn; and a certaine peece of a certaine countrey, named Moylagaghe, to be of and as parcell of the other halfe barony or hundred of Fower; which Moylagaghe lyeth on the northwest part of the same halfe barony or hundred of Fower; which halfe barony shall have and contein in the same the paroches of our lady church Saint Feighens in the towne of Fower, Kilpatricke, Mayne, Beallaghila, Lyckbla, Foyeran, and Hylton.

III. And be it further enacted by the same authority, That the baronies or hundreds of Delven, Moyasshell, Maghirityernan, Corkrie, Ferbille, Moyguoife, and the said baronies or hundreds now made by authority of this act, as Rathcormycke, Rossaughe, Fertullagh, and Kilkenny west, and the half barony of Fower, whereof the said Moylagaghe is now made parcell, shall be taken, accepted, and had, in the countie of West-Meth: and all and singuler honoures, lordshippes, castels, mannours, landes, tenements, and hereditamentes, lying or being within the compass or precinct of the said baronies or hundreds of Delvin, Moyasshell, Maghirityernan, Corkrie, Ferbille, Moyguoife and of the said baronies or hundreds now made and established by the authority of this act, as Rathcormirte, Rossaughe, Fertullagh, and Kilkenny west, and the half barony of Fower, whereof the said Moylagagh is now made parcell, whatsoever they be or shall be, and every

A. D.

1537.

Chap. 1.

All officers
as usual there
in.

What baronies shall
compose
Westmeath

A. D. 1543. part thereof, shall stand and be for ever from the said feast of Saint Katherin aforefaid reputed, accepted, named and taken the countie of West-Meth; and within the same countie there shall be ordayned, elected, and deputed, a sheriffe, coroners, escheator, clerke of the market, justice of peace and of goale deliverie, knightes of the shire, and all other officers and ministers, according as in the same shire of Meth before this time hath been used and accustomed, as oft as need shall require; which sheriffe, coroners, escheator, clerke of the market, officers, and ministers, so to be made, elected, and deputed, and every of them, shall have the same and like authority, power, preheminance, priviledge, and profites, within the said baronies, precinctes, limites, and bounds, now by this act made the countie of West-Meth, as the like officers in times past had within the said shire of Meth, and in every part or place within the said shire of Meth; and that the towne of Molinger shall be named, accepted, reputed, used, had, and taken, the head and shire towne of the said countie of West-Meth.

1543.
Chap. I.
All officers
as usual there-
in.

Molinger
to be the shire
town of
Westmeath.

The prison.

III. And further, forasmuch as it is thought needful and necessarie, that there shall be a common goale for the receipt and sure keeping of such persons, as shall be committed to prison within the precinct of the said countie of West-Meth, and that there is no place so meet for the same, as the house of late Fryers of Molinger aforefaid, being the shire towne appointed by this act: be it therefore enacted, ordeyned, and established by authority of this present Parliament, That the said common gaole or prison shall be within the precinct of the said house, and in such place thereof where the lord deputie, the lord chauncellour, the three chief judges, and the master of the rolles, for the time being, shall assigne and appoint.

IV. Provided always, and be it enacted by authority aforefaid, That all procefs and processe, awarded or to be awarded out of any our soveraign lord the King's courts or by any of his Grace's judges, officers, or ministers to the sheriffe, or any other officer or officers, minister or ministers, in the said countie of Meth, and not returnable ne returned before the said Saint Katherin's day, being or pursued for the recoverie or redresse of any cause or matter within the limites, precinct, or circuit of the countie of Meth, made and established by authoritie of this present act, shall be served and returned by the sheriffe, or other officer or officers, minister or ministers, of the said countie of Meth, made and established by the authoritie of this present act; and that the same processe and processe, so to be served and returned, shall be of and in the same maner and condition, and of and in such like force, strength, and vertue, to all intents, constructions, and purposes, as though the same had been served and returned by the sheriffe, officer or officers, minister or ministers, of the said now countie of Meth, as though this act had not been made; this present act, or any thing therein containd to

the contrarie notwithstanding. And that likewise by authoritie aforefaid all proceſſe and proceſſes, awarded or to be awarded out of any of our ſaid ſoveraign lord the King's courts, or by any of his Grace's judges, officers or miniſters to the ſhiriff or any other officer or officers, miniſter or miniſters in the ſaid countie of Meth, and not returnable ne returned before the ſaid Saint Katherin's day, being or purſued for the recoverie or redreſſe of anie cauſe or matter, thing or things within the limits, precinct, or circuite of the ſaid countie of Weſtmeth, made and eſtabliſhed by authoritie of this preſent act, ſhall be ſerved and returned by the ſhiriffe, or other officer or officers, miniſter or miniſters of the ſaid countie of Weſtmeth, and that the ſame proceſſe, and proceſſes ſo to bee ſerved and returned ſhall bee of, and in the ſame manner and condition, and of and in ſuch like force, ſtrength and condition, and vertue, to all intents, conſtructions and purpoſes, as though the ſame had been ſerved and returned by the ſhiriff, officer or officers, miniſter or miniſters, of the ſaid countie of Meth, as though this act had never been made, this preſent act, or any thing therein containd to the contrarie in any wiſe notwithstanding.

A. D.

1543.

V. Provided and be it enacted by the authoritie aforeſaid, that the now knights for the ſaid countie of Meth elected and returned for this preſent Parliament, ſhall continue, remaine, and bee knightes, of and for the ſaid countie of Meth, made and eſtabliſhed by authoritie of this preſent act; and alſo of and for the ſaid countie of Weſtmeth, made and authoriſed by authoritie aforeſaid, during the continuance of the ſame Parliament, and to the utter diſſolving of the ſame in like manner, ſorte, forme, effect and condition, as though this act had never been made, anie thing or things conteyned or mentioned in the ſame to the contrarie in anie wiſe notwithstanding. The intent meaning and making of this act is that everie of the halfe baronies of Fower in all tryalles ſhall be taken as an entire barony; that is to ſay, that moytie allotted to the ſhire of Meth to bee taken as an entire barony of that ſhire; and the other moytie allotted to Weſtmeth to be as an entire barony in that ſhire, for all tryalles.

Each half barony of Fower to be taken as an intire barony in all trials.

C H A P. II.

An Act that for Persons ſtanding bound in any Court for their Appearance, and being in Service, to be diſcharged by Writt.

FORASMUCH as the King's ſubjects in this realm of Ireland, ſtandeth at diſverſe ſeaſons in ſuch danger and perrill of invaſion by the diſobeyſants, Irifhrie, as the poſſeſſioners and inhabitants being his Grace's ſubjects in this realm of Ireland, muſt be attendant in their perſons upon his Maſtie's lieutenant or deputie of the ſame for the time being, in committing invaſion to the ſame diſobeyſants,

Subjects from danger of invaſion by the Irifhry, &c. muſt attend on the lieut. &c.

A. D.
1543.
Chap. 2.

Persons
bound, or
having a day
to appear in
court or ses-
sions, and not
keeping the
same by rea-
son of attend-
ance on the
lieut. &c.
opposing re-
bels.

The lieut.
&c. may di-
rect a war-
rant to the
chancellor, to
direct a writ
to the judge
of the court
to discharge
the forfeiture.

Fees for the
discharge.

Provided
that the next
term or ses-
sions after
their return
from such ser-
vice they ap-
pear, &c. and
present the
writ of dis-
charge.

and to resist their attemptats. The King's most excellent Majestie of his Hignesse benign and most Kingly goodnesse therefore is pleased and contented that it be enacted, ordeyned and establisshed by the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, That if any person or persons have or shall be bounden by recognisance, or having a day by rolle to appeare in any of his Grace's his heyres or successors, court or courts, cession or cessions, any day in the same recognisance, record or rolle, written, mentioned and entered, or hereafter to be written and entred, and that at the same day of apparance that any such person or persons was or shall be bounden in any of the said courts or cessions to appear in maner and forme as is aforesaid, he or they, the same person or persons, be or shall be attendant upon the lieutenant, deputy, justice or justices, or other governor of this realm, in committing invasion upon any disobeyfants in this realm, or for defence of any of the King's subjects, or appointed or assigned by the lieutenant, deputie, justice or justices, or other governour aforesaid, to invade any disobeyfant, or to defend any of the King's subjects aforesaid, by reason whereof any such person or persons have not, or hereafter shall not keep their said day of apparance, for that, that he or they was, were or shall be at that time occupied as is aforesaid, that then it shall be lawfull unto the said lieutenant, deputie, justice or justices, or other governor aforesaid for the time being, by force and authoritie of this act, to direct a warrant under his signe or seal to the chauncellor or keeper of the great seale of this realm for the time being, willing him by the same, that forasmuch that such person or persons were or shall be in the affayres in forme aforesaid, to direct a writ under the King's seal to the judge or judges of any the King's courts or cessions of this realm, where any such person or persons did not keep their day or dayes of apparance, to discharge the same incurred in any such forfeiture, the same recognisance, record or rolle, or any other thing therein conteyned to the contrarie notwithstanding. Nothing to be payed for the premisses by the partie so to bee discharged, but twelve pence to the clarke that shall make the warrant, twelve pence to the clarke of the crowne of the chauncery for making of the writ, twelve pence to the clarke of the court where the said bond shall bee discharged for the inrolling of the writ and entring the parties discharge upon the bond.

II. Provided alway, that at or in the next terme or sessions after the return of anie such person or persons from the doing or executing of any such service in maner and forme aforesaid, he or they so incurring in any such forfeiture shall appeare before the judges in the same court or cessions where any such forfeiture shall happen to be, and there present unto the same judges the same writte for the discharge of the same forfeiture, upon which writte all and every such

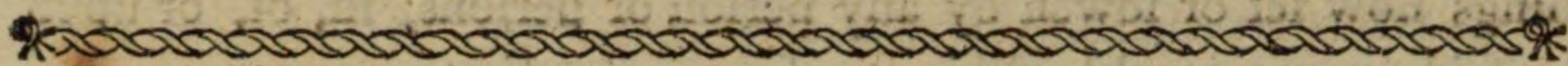
such person and persons of every such forfeiture so forfeited, in manner and form aforelaid, shall be cleerly thereof discharged, and the said judge or judges to take a new bond of the partie, as to their discretions shall be thought good.

III. Provided also, that if any person or persons shall be bound to keepe the peace, and happen to breake the same, that then any such person or persons shall take no advantage ne benefite by this act, ne by any thing therein containd, as to be discharged of any such forfeiture, for or concerning the breaking of the peace.

A. D.

1543.

and a new bond may at discretion of the judge be taken. Persons bound to keep, and breaking, the peace shall have no benefit of this act.



The thirty fourth Year of Henry the Eighth. Sess. 2.

Statuta, Ordinationes et actiones in Parlamento præd' apud *Dublin*, die Marties prox, ante festum sanct' *Gregorii* martiris, vz. xvii, die Aprilis anno tricesimo quarto præd', coram præfato deputato, similiter tento, ædit' in hæc verba. *Anno Dom. 1543.*

C H A P. I.

An Act touching the Manor and Castle of Dongarvan. Rot. Parl. cap. 2.

WHEREAS the castle, mannour and lordship of Dongarvan, hath been the King's majesties and his most noble progenitors auncient inheritance, whose Highness possession therein hath of long time been incumbred, disquieted, disturbed, and now the entire and quiet possession of the same is in his Highness possession and hands, and having respect to the place where the same is situated, which may be a meane to bring all that parties of Mounster into a better quiet, and way of reformation, being in his Grace's hands and disposition, as is most meet and convenient to be: Be it therefore enacted, ordeyned and established by the King's most excellent majestie, by the assent of the lords spiritual and temporal, and commons in this present Parliament assembled, and by authoritie of the same, and at the speciall request and desire of the right honourable Lord James earl of Ormond and Ossorie, That the King's majestie, his heyres and successours Kings of England, shall have and hold the said castle, mannour and lordship, with the appurtenances, with all issues, fishings, customes, profites and commodities thereunto belonging or appertayning, in as large and ample manner

The castle, &c. of Dongarvan confirmed to the King as united to his crown for ever.

A. D. 1543. Chap. I. as any other of his Highness, or any of his most noble progenitors, right, or of any of his progenitors, clayming the same in their owne right, the same had and received at any time, to have, hold and enjoy the same castle, mannour and lordship, with all other the premisses, to his Highness, his heyres and succeffours Kings of England, as knit, united and annexed unto his Majestie, his heyres and succeffours imperiall crown for ever.

II. Provided that this said act, ne any thing or things, matter, sentence, or article therein containned, shall extend in any wise to any maner of corne, imblements, fallow, or to any other thing or things now set or sown by any person or persons, in, of, or upon the said mannour and lordship, mesuages, lands, tenements, or any part thereof, but that the owners, setters, or manurers thereof, shall have, take, possesse and enjoy the said corn, imblements, fallow, and other the premisses, without any let, disturbance, or impediment of the King's majestie, his heyres or succeffours, or any his or their officer or officers: this present act, or any thing therein containned to the contrary notwithstanding.

THE
THIRD and FOURTH YEARS

OF

PHILIP and MARY.

Statuta, Ordinationes, Actus, & provisiones edita in quodam Parlamento Illustrissimorum Principum domini nostri Philippi & dominæ nostræ Mariæ, Dei gratia, Regis & Reginae Angliæ, Hispaniarum, Franciæ, utriusque Siciliæ, Hierusalem, & Hiberniæ, fidei defensorum, Archiducum Austriæ, Ducum Burgundiæ, Mediolani, & Brabantiae, Comitum Hasburgi, Flandriæ & Tirolis, virtute commissionis & mandati dictorum domini Regis & dominæ Reginae sub magno sigillo suo Angliæ apud Dublin die Martis, viz. primo die Junii annis regnorum prædictorum domini Regis & dominæ Reginae tertio & quarto, coram prædilecto consanguineo & consiliario suo Thoma Radclif Milite, Comite Suffex vic. Fitz-water, domino Egremont & Burnell, uno generosorum private Camerae dicti domini Regis, omniumq; generosorum pensionar. ad arma dictæ dominæ Reginae in regno suo Angliæ capitaneo, ac deputato eorundem domini Regis & dominæ Reginae regni sui Hiberniæ tento, & ibidem continuato usque ad secundum diem Julii tunc prox' sequen' & ibm' usque ad decimum diem Novemb. tunc prox' sequen, usque civitatem Lymeric. adjourn' & ibidem dicto decimo die Novemb' continuat. & abinde eodem die usq; ad primum diem

Martii tunc proxime sequent' usq; villam de Drogheda adjournat. Ante quem primum diem Martii dict. deputatus per mandatum dictorum domin' Regis & dom' Reginae transfretavit ad eorum Majestat' in Angliam & ibm' remansit usq; post dictum primum diem Martii, ratione cujus suæ absentia dictum Parliamentum eodem primo die Martii, discontinuatum & dissolutum fuit. *Anno Dom. 1556.*

C H A P. I.

An Act for the Disposition of Leix and Offalie. Rot. Parl. cap. 7.

A. D.
1556.

The counties of Leix, &c. late wholly in possession of rebels, subdued by the earl of Suffex, lord deputy,

who shall have full power by this act to grant estates in fee, &c. thereout.

And may command the lord chancellor

WHERE the countries of Leix, Slewmerge, Offalie, Irrie, and Glynmalire, which belong of right to the King and Queen's most excellent majesties, were of late wholly possessed by the Moores, the Connors, the Dempseys, and other rebels, and now by the industrious travaile of the earle of Suffex, now lord deputie of Ireland, be brought again to be in the possession of their Majesties, and so remaine, to be disposed as to their Highnesses shall be thought good: forasmuch as the well disposing of the foresaid countries, and planting of good men there, shall not onely be a great strength to those quarters, but also a wonderfull assurance of quiet to all the rest of the English countries, and a great terror to all Irish countries bordering upon the same: therefore at the humble request of the lords spirituall and temporall and the commons of this realm bee it enacted by our soveraigne lord and lady the King and Queen's majesties, the lords spiritual and temporal and the commons in this present Parliament assembled, and by the authoritie of the same, That the foresaid earle of Suffex, now lord deputy, shall have by vertue of this act full power and authoritie, during the time he shall be lord deputy there, to give and graunt to all and everie their Majesties subjects, English or Irish, borne within this realme, or within the realme of England, at his election and pleasure such severall estates in fee simple, fee taile, leases for terme of yeares, life or lives, of all and every the lordships, mannours, castles, patronages of benefices, landes, tenementes, and all other hereditamentes temporal, with their appurtenances, parcel of any the said countries, or to any of the said countries of right appertaining or belonging, as for the more sure planting and strength of the countries with good subjects shall be thought unto his wisdom and discretion meet and convenient; and that the said earle of Suffex, now lord deputy, may by vertue of this act commaund the lord chauncellor or keeper of the great seal of this realm,

for the time being, to set their Majesties great seal of his realme to every such graunt of estate in fee simple, fee taile, lease for yeares, life or lives, so by him graunted or demised, and that every such commandement of the said lord deputie, by warrant signed with his hand and seal, shall be to the same lord chancellor, or the keeper of the great seal for the time being, a sufficient warrant or discharge for the sealing of every such graunt so by him graunted, which graunt so by him graunted, and sealed with the said broad seal, shall be good and vaileable in the law to every person that possesseth any of the said graunts, according to the tenor of the graunt against our said soveraigne lord and lady the King and Queen's majesties, her heyres and successors, and against any other person or persons, bodies politique or corporate, their heyres and successors, and the heyres and successors of every of them: any law, statute, or other order heretofore made to the contrary in any wise notwithstanding.

A. D.
1556.
for to set the
great seal
thereto.

II. Provided alwaies, that upon every such estate of fee simple, fee taile, lease for terme of yeares, life or lives, so by the said deputie to be graunted or demised, as before, there be such yearly rents, services, conditions and covenants reserved to the King and Queen's majesties, her heyres and successors, as by the said lord deputy, upon the said graunt or graunts, shall be thought expedient and necessary for the better advancement of their Majesties, and the sure planting strength and suretie of the said countries.

Provided
such yearly
rents, &c. re-
served as by
said deputy
thought expe-
dient.

III. Provided also, that this act, or any matter therein conteyned, shall not extend to any landes or inheritances, spirituall or temporall of any person or persons, their heyres and successors, which are excepted by *proviso* in the act passed, entituling the King and Queen's majesties, her Grace's heyres and successors, in and to the said countries of Leix, Offayly, Slewmarge, Irry, and Glinmaliry, but that they the same person and persons, their heyres and successors, and the heyres and successors of every of them shall and may have, enjoy, possesse, and dispose his and their said severall lands, inheritances and interests, according to the said *provisoes* in the other act, at their will and pleasure: any matter or thing in this act to the contrary notwithstanding.

CHAP. II.

An Act whereby the King and Queen's Majesties, and the Heires and Successours of the Queen, be entituled to the Countries of Leix, Slewmarge, Irry, Glinmaliry, and Offaily, and for making the same Countries Shire Grounds. Rot. Parl. cap. 8.

PRayen the commons in this present Parliament assembled, that forasmuch as the Omores, Odempies, Oconnors, and others of the Irishry, lately inhabiting the countries of Leixe, Slewmarge, Irry, Glinmaliry and Offaily, and by their fundry manifest treasons

The King
and Queen,
during life of
the Queen,
and her heirs
and successors
shall have for

A. D.
1556.
Chap. 2.

ever, as in
right of the
crown, the
counties of
Leix, &c.

Enacting
part.

after many pardons graunted to them, and fundry benefits shewed to them, yet often rebelled, committing great hurts to the King and Queen's Majesties most loving subjects, by the which they provoked the most worthy prince King Edward the sixt, brother to our said soveraign lady the Queen's majestie, to use his power against them, who at length to his great charge did subdue and repress the said Irish enemies or rebelles, bringing into his possession the countreyes aforefaid, sithence which time the said Omores, Odempies, Oconors, and others of the said Irishry, have trayterously, contrary to their bounden duties, by force entered the said countreyes, and them so did hold against the King and Queen's majesties, unto such time as their Majesties, by the diligent and painefull travaile and labour of the right honourable the earl of Suffex, their majesties lord deputy in Ireland, by the sword evicted and reduced the said countreyes out of and from the wrongfull and usurped possession of the said Irish enemies or rebels, to their Majesties former possession as of right appertayneth, and for that, that neyther of the said countreyes is knowen to be within the limites of any shires or counties of this realm, no title could be found either to the said late King, or to their Majesties, for and in the said countreyes and the hereditaments of them, as by their Grace's law is appointed to bee in like case, by default whereof, their Majesties might not take order for the disposition of the said countreyes by their graunts, as they now intend to doe. Bee it therefore ordeyned, enacted and established by our said soveraign lord and lady the King and Queen's majesties, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, That the said King and Queen's majesties, during the life of the said Queen, and the heires and successors of the said Queen shall have, hold and possesse for ever, as in the right of the crown of England and Ireland, the said countreyes of Leixe, Slewmerge, Irrye, Glimnalyrie and Offaily, and all and singular seignories, honours, mannours, castels, fortresses, mesuages, landes, tenementes, woods, moores, pastures, mountaines, mareshes, waters, rivers, loghes, churches, chappels, advowsons, patronages, townes, fields, rentes, services, and all and singular other the hereditamentes spirituall and temporall, of what name, nature, kind or quality so ever they bee of in the said countreyes, and everie of them according to the auncient limits, meares and boundes of the same countreyes, and everie of them, except all and singular such parsonages and vicarages as now have cure there, the patronages whereof shall be likewise given to their Majesties, and to the heires and successors of the said Queens Majestie for ever.

II. And to the end the said countreyes may be from henceforth the better conserved, and kept in civill government; bee it enacted by the said authoritie, That the new fort in Leixe, be from henceforth for ever called and named, Mary Burgh,

The new
fort in Liex,
called Mary-
Burgh,

Burgh, and that the said countries of Leixe, Slewmerge, Irry, and such portion of Glimnalyre, as standeth and is scituate of that side of the river of Barrow, whereupon the said Mary Burgh standeth and is scituated, and all the feignories, honours, mannours, landes, tenementes, and hereditamentes of the same countries and portion, and other of them, bee from the first day of this Parliament one shire or countie, named, knowne, and called the Queen's County, and shall from the said day be taken, reputed, and used as a countie or shire to all purposes for ever, and that there shall be appointed, ordayned, and made within the said shire or countie, for the rule thereof, and execution of things there, sherife, coroners, eschetor, clerke of the market, and other officers and ministers of justice yearly, as in other the shires or counties in this realm of Ireland bee or should bee.

A. D.
1556.
Chap. 2.

And countries of Leixe, &c. called, the Queen's county.
To have sheriff, &c. as other shires.

III. And bee it also enacted by authoritie afore said, That the new fort in Offaily, bee from henceforth for ever called and named Philippeston and that the said country of Offaily, and such portion of the said Glinmalry as standeth, and is scituated of that side of the river of Barrow, whereupon the said Philippeston standeth and is scituated, and all the feignories, honours, mannours, landes, tenementes and hereditamentes of the same countrey and portion, and every of them, bee from the feast of Saint Michael tharchangel, next coming after the first day of this present Parliament, one shire or county, named, knowne, and called the King's countie, and shall from the said feast be taken, reputed, and used as a countie or shire to all purposes for ever; and that there shall be appointed, ordeyned, and made within the said countie or shire, for the rule thereof, and execution of things there, sherife, coroners, eschetor, clerke of the market, and other officers and ministers of justice yearly, as in other the shires or counties of this realm of Ireland be or should be.

The new fort in Offaily, called Philipstown.

The King's county named.
To have sheriff and other officers.

IV. And be it likewise enacted and ordeyned by the said authority, that a commission be made forth by the lord chancellor, for the time being, to certain of the counsaill and others, after his discretion, as well for the dividing of the bounds and limits of the said severall counties or shires from other counties and places, and to either of them adjoyning, and also possessions and hereditamentes of the said counties or shires of King's countie and Queen's countie, into severall baronies or hundreds, as also the towne or place where the prison, yaile or gaole in every of the said counties or shires shall be, and what order and appointment shall be so taken and made by the said commissioners in that behalfe, and retorned into the King and Queen's majesties chauncerie of this realm, be it by authority of this present Parliament ratified, confirmed and established for ever.

A commission by the lord chancellor for dividing the bounds of said counties, and into baronies or hundreds.

Also the place where a gaol for each shall be.

V. Provided alwayes, that this act, or any thing therein conteyned, shall not in any wise be prejudicial, ne hurtfull to any

Not to prejudice the grants to the earl of Kildare.

A. D. 1556. letters patents made and graunted unto Gerald, now earle of Kildare, and to his heyres, by our said soveraign lady the Queen, or by her Highness late brother, King Edward the sixt, of any honours, mannours, lands, tenementes, preheminences, dignities, priviledges, jurisdictions, and other hereditaments whatsoever, within this realm of Ireland, but that the said Gerald earle of Kildare, and his heyres, shall and may enjoy and hold all and singular the said honours, preheminences, dignities, priviledges, jurisdictions, mannours, lands, tenements, and all other hereditaments, to him and his heyres given and graunted by our said soveraign lady the Queen, or by her Highness late brother King Edward the sixt, or by either of them, according to the tenor, forme, and effect of the said severall letters patents, and as the said earle and his heires, should or ought to have and enjoy the said honours, mannours, and other the premises by force of the said severall letters pattendts, or of any of them, as if this act had not been made; any thing herein contained to the contrary notwithstanding.

Nor any rights of the bishops, or other ecclesiastical persons.

VI. Provided also, that this act, nor any thing therein conteyned, doth not extend to the archbishop of Dublin, the bishop of Kildare, the bishop of Leighlin, or any other ecclesiasticall person or persons, and their successours, of any right, title, interest preheminance, authorities, advowsons, presentations, by laps or otherwise, or any other thing or things, that they or their predecessors have had, enjoyed or possessed within the said countrey of Leixe and Offaily, but that the same shall be in their and every of them, and their successours, in as large and ample manner as any their predecessors had enjoyed, manured, occupied and possessed the same at any time before the making of the said act; any law, use or custome in this act to the contrary in any wise notwithstanding.

C H A P. III.

An Act to convert and turne divers and sundry Waste Grounds into Shire Grounds. Rot. Parl. cap. 9.

11 Eliz. 9.
Ir. ses. 3.
Robberies,
&c. daily
committed in
wastegrounds,
lying in no
shire.

WHERE divers and sundry robberies, murders and felonies be daily committed and done within sundry townes, villages, and other waste grounds of this realm, being no shire grounds, to the great losse of divers and sundry true subjects of this realm, to the great boldnes and encouraging of all other like offenders, by reason that the same townes, villages and waste grounds, be not made shire grounds; for remedy whereof, bee it enacted by authoritie of this present Parliament, that immediately upon the prorogation or dissolution of the same, the lord chauncellor of this realm for the time being, shall have full power and authoritie by vertue of this act to award and direct the King and

and Queen's Majesties commiſſion under their Graces great ſeal of this realm to ſuch number of perſons, as ſhall by warrant under the lord deputies hand and ſeal for the time being bee thought moſt convenient and meet; giving thereby full power and authoritie to the ſame commiſſioners by authoritie of the ſame commiſſion to view, ſurvey, and make inquirie of all the townes, villages, and waſte groundes of this realm, now being no ſhire groundes, and upon the ſaid view, inquirie, and ſurvey, to limit, make, nominate, and devide by certain limittes and boundes, all ſuch townes, villages, and waſte groundes within this realm, being preſently no ſhire ground nor countie, into ſuch and as many ſeverall counties, ſhires, and hundreds, as to the ſaid commiſſioners ſhall be thought moſt meeteſt and convenient, and after they have made ſuch ſurvey, inquirie, and diviſion of the ſaid counties, ſhires, and waſte grounds, as is aforeſaid, the ſaid commiſſioners ſhall certifie the ſame unto the lord deputy for the time being; who, likeing the ſaid certificate, ſhall under his hand and ſeal and the hands and ſeals of the ſaid commiſſioners return and certifie the doing together with the ſaid commiſſion into the high court of Chancery before ſuch feaſt or time, as by the ſaid commiſſion ſhall be to them limited and appointed, to the intent the ſame may there remaine of record; and the ſame certificate ſo made ſhall be of the ſame force and effect, as it were done and made by act of Parliament; and that the ſaid ſhires, countries, and hundreds, after the ſaid certificate ſo made ſhall be uſed and taken as other counties, ſhires, and hundreds be in everie other ſhire within this realm of Ireland.

II. Provided alwayes, and bee it enacted by authoritie aforeſaid, That the King and Queen's Majesties, her heyres and ſucceſſours, ſhall and may have full power and authoritie for the term of ſeven yeares next after the end and diſſolution of this preſent Parliament, for ſuch time as ſhall pleaſe their Majesties, her heyres and ſucceſſours, to ſuſpend or utterly to repeal, revoke, and abrogate this whole act, together with all other things done by force of the ſame or any part thereof from time to time, as ſhall ſtand with their Majesties moſt gracious pleaſure, ſo that every ſuch ſuſpending, repeale, and revocation, from time to time as often as any ſuch caſe ſhall happen, ſhall be made in writing under the great ſeal of Ireland; and that proclamations of every ſuch ſuſpending, repeal, and revocation ſhall be made in ſuch and as many ſhires of this realm of Ireland, as to their Majesties, her heires, and ſucceſſours, ſhall bee thought meete and convenient; and thereupon the ſaid commiſſion to be inrolled in the rolles of this preſent Parliament, wherein this act ſhall be inrolled, and that every ſuch ſuſpending, repeale, and revocation, ſo to be had and made by the King and Queen's Majesties, her heires and ſucceſſours, ſhall be as good and effectuell to all intents and purpoſes, as if

A. D.
1566.
Chap. 3.
Commiffioners under the great ſeal to ſurvey and divide the ſame into counties and hundreds. And certify to the lord deputy; To be certified into chancery.

There to remain of record. Such certificate to have ſame force, as if by act of Parliament,

The King and Queen, her heires and ſucceſſors, may within 7 years after this Parliament ſuſpend or repeal this act, or any part, and all things done under it.

In writing under the great ſeal, And proclamation made.

A. D. 1556. the same had been done by authoritie of this present Parliament; this act or any thing therein conteyned to the contrary thereof notwithstanding.

C H A P. IV.

An Act declaring how Ponings Acte shall be expounded and taken. Rot. Parl. cap. 11.

Recital of
10 H. 7. 4.
Ir.
11 Eliz. 1.
sess. 2.

WHERE at a Parliament holden at Drogheda the Monday next after the feast of saint Andrew the Apostle in the tenth yeare of the raign of the late King of famous memory, Henry the seventh, graundfather unto our soveraign Lady the Queen, before Sir Edward Ponings, knight, then lord deputie of this realm of Ireland, an act among other things was enacted and made for and concerning the order, manner, and forme of Parliament to bee from henceforth holden and kept in this realm of Ireland, in forme following: Item, *At the request of the commons of the land of Ireland bee it ordeyned, enacted, and established, That at the next Parliament, that there shall be holden by the King's commaundement and licence, wherein amongst other the King's grace intendeth to have a generall resumption of his whole revenue sith the last day of the raigne of King Edward the second, no Parliament bee holden hereafter in the said land, but at such season as the King's lieutenant and counsaile there furst doe certifye the King under the great seal of that land the causes and considerations of all such acts, as them seemeth should passe in the same Parliament; and such causes, considerations, and acts affirmed by the King and his counsaile to be good and expedient for that land, and his licence thereupon as well in affirmation of the said causes and acts, as to summon the said Parliament under his great seale of England had and obtained, that done, a Parliament to bee had and holden after the form and effect aforesaid: and if any Parliament bee holden in that land hereafter contrary to the forme and provision aforesaid, it bee deemed voyde and of none effect in the law; and by the said act more at large doth appeare: for as much as sithence the making of the said act diverse and sundrie ambiguities and doubts have been made and risen upon the true understanding and meaning of the same; for the avoyding of the which doubts and ambiguities, and for a full and plain declaration of the true meaning and understanding of the said act, be it ordeyned, enacted, and established by authority of this present Parliament, That the said act, and every clause and article therein conteyned, shall from the first day of September last past be expounded, understood, and taken, as hereafter followeth; that is to say, That no Parliament be summoned or holden within this realm of Ireland, untill such time as the lieutenant, lord deputie, lord justice, lords justices, chiefe governour or governours, or any of them, and the counsaile*
of

Doubts arisen thereupon.

Exposition thereof.

of this said realme of Ireland, for the time being, shall have certified the King and Queen's Majesties, her heyres and successours, under the great seale of this said realme of Ireland, the considerations, causes, and articles of such acts, provisions, and ordinances, as by them shall be then thought meet and necessary to be enacted and passed here by Parliament, and shall have also received again their Majesties answer, under their great seale of England, declaring their pleasure, eyther for the passing of the said acts, provisions, and ordinances, in such form and tenour as they shall be sent into England, or else for the change or alterations of them, or any part of the same.

II. And be it further enacted by the authority aforesaid, That after such return made, and after licence and authority to summon a Parliament within the said realm of Ireland, graunted under the great seale of England unto the said lieutenant or lord deputie, or other lord justice, lords justices, chief governour or governours of the same realm of Ireland, for the time being, and not before the same lieutenant, lord deputie, lord justice, lords justices, chiefe governour or governours, shall and may summon and hold a Parliament within this realm of Ireland, for passing and agreeing upon such acts, and no other, as shall be so returned under the said great seale of England.

III. And forasmuch as manie events and occasions may happen during the time of the Parliament, the which shall be thought meet and necessary to be provided for, and yet at or before the time of the summoning of the Parliament, was not thought nor agreed upon: therefore be it further enacted and established by authority of this Parliament, That as well after every such authority and licence sent into this realm of Ireland, as also at all times after the summons, and during the time of every Parliament to be hereafter holden within the said realm of Ireland, according to the tenor and form of this act, the lieutenant, lord deputie, lord justice, lords justices, chiefe governour or chiefe governours and counsaile of the same realm of Ireland for the time being, shall and may certifie all such other considerations, causes, tenours, provisions, and ordinances, as they shall further then think good to be enacted and established, at and in the same Parliament within the same realm of Ireland, to the King and Queen's Majesties, her heyres and successours, under the great seal of this said realm of Ireland, and such considerations, causes, tenours, provisions, and ordinances, or any of them, as shall be thereupon certified and returned into the said realm, under the great seal of England, and no others, shall and may pass and be enacted here in every such Parliament within this said realm of Ireland, in case the same considerations, causes, tenours, provisions, and ordinances, or any of them, be agreed and resolved upon by the three estates of the said Parliament; any thing conteyned in this present act,

A. D.
1556.
Chap. 4.

The lieutenant, &c. may, after summons, and during the time of every parliament, certify all such other causes, considerations, &c. as they think expedient.

And such as are returned under the great seal of England, and no others, shall be enacted, if agreed to by the three estates.

A. D. 1556. or in the foresaid act made at Drogheda to the contrarie notwithstanding.

All parliaments and acts passed since 10 H. 7. to be in force, as if this act never made.

This act not to defeat any provisoes made this session.

IV. Provided alwayes, and be it further enacted by the authority of this present Parliament, That all and every Parliament and Parliaments summoned, kept and holden within this realm of Ireland, since the making of the said former act, in the said tenth yeare of the reigne of the said late King Henry the seventh, and all and every act, acts, ordinances, and provisions, made, passed, ordeyned, and enacted in the same, shall be and remaine in such and the same force, strength, validitie and effect, to all intents, constructions, and purposes, as if this act had never been had ne made: this act, or any thing therein contained to the contrary notwithstanding.

V. Provided also, that this act, or any thing therein conteyned, shall not extend or be meant, to the defeating or hindrance of any the provisoes made in this session of this present Parliament.

C H A P. V.

An Act against Corsors and idle Men. Rot. Parl. cap. 14.

Cottiers giving themselves to idleness,

buying and selling horses,

Hinderance to husbandry.

No labourer in husbandry, &c. to buy horses.

Penalty 40s.

FORASMUCH as now in this realm all labouring men in husbandrie, as cottiers, and other dwellers under lords, gentlemen, freeholders and fermors, doe give themselves to idleness, and will not labour, but daily use corserie, as in buying horses, garrons, geldings, coltes, and mares, intending to fatten them in the lord, gentleman, freeholder, or fermour's ground, under whom the said cottier and cottiers dwelleth, and then after again to sell such horse, gelding, colt, or mare, so bought as before, verie deere, and so thereby do not only make horses, geldings, coltes, and mares verie deere to such as occupie husbandrie, and have otherwise need of them, but also the idleness of the said cottiers and labouring men, that will not labour the earth upon request made, is of great hinderance to husbandry, and much hurtfull to the common wealth of this realm. Be it therefore enacted, ordeyned, and established by our sovereign lord and lady, the King and Queen's Majesties, the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That from the first day of May next comming no cottier, nor labouring man in husbandrie, nor horseboy, nor kernaugh, shall not buy any horse, garran, gelding, colt, or mare, nor make bargain with any other for the having of any of them, upon pain of forfeiture for every time so offending, in buying or bargaining for horse, garran, gelding, colt or mare, xl. s. of lawfull money of Ireland, the one moitie of the said penaltie of xl. s. to be to the King and Queen, her grace's heires and successors, and thother moitie thereof to be to such person as will sue for the same, by action of debt, by original writ or bill, before the justices of their

Graces bench or common place within this realm of Ireland, A. D. 1556.
in which actions the defendant shall not wage his law, nor none
essoine nor protection for the defendant shall lie, nor be allowed
in the said action.

II. Provided alwaies, that this act, nor any thing therein
conteyned, shall not extend, nor be prejudiciall to any carter, Not to ex-
tend to car-
ters, millers,
&c. buying
for service of
their trade.
carrier, miller, baker, nor tanner, buying horse, garran, gelding,
colt, or mare, for serving them, and every of them, in that his or
their facultie or trade.

III. Provided also, this act, nor any thing therein conteyned, And said
labourers, &c.
may buy and
have a horse
yearly, from
first of August
to the last of
October, to
draw home
corn, &c.
shall not extend nor be prejudiciall to any cottier, or labouring
man in husbandrie, nor horseboy, nor kearnagh, but that they,
and every of them, may yearly, from the first of August till the
last day of October then next following, buy and have a horse,
garran, gelding, colt, or mare, to labour and draw home such
corne and other things, as they and every of them shall have to
doe, from the first day of August till the said last day of October
yearly.

C H A P. VI.

An Act that the Owners of Goods stollen may be restored thereunto.
Rot. Parl. cap. 15.

WHEREAS divers the King and Queen's Majesties sub- 28 H. 8. 10.
Ir.
21 H. 8. 11.
Eng.
jects of this realm have caused the bodies of such
felons, as stole their goods from them, to be apprehended
and brought to answer to the law for that malefact, or
have done their diligence to have them taken, whereupon
the malefactours have been arraigned and attainted, or other-
wise have fled away for that cause; and yet for that the
said malefactour had disperfed and put abroad the goods
stolen amongst Irishmen and otherwise, the partie could not
have or come by his said goods, to his utter impoverishing:
For remedie whereof, bee it enacted by the lords spiritual
and temporall and the commons in this present Parliament
assembled, and by the authoritie of the same, That in case
the partie, from whom any goods or cattals hath been or
shall be stolen, or his executors, cannot come by the goods
If goods
stolen cannot
be had again,
the party shall
have the value
so of the goods

A. D.
1556.
Chap. 6.

of the felon
attainted, &c.
delivered by
the sheriff or
persons in pos-
session there-
of, who are
to be dischar-
ged for so
much.

Sheriff, &c.
refusing, for-
feit the value,
if so much
came to their
hands.

Debt lies
for the same.

so stolen, that then he or his executors shall have of the felons goods, that stole his goods, and shall be attainted, condemned, or pardoned for the same, or percase have fled, or shall flie away for the same cause, to the value of the goods from him stolen and disperfed, as is aforesaid, to be delivered to him or to his executors by the handes of the sherife, or any other person or persons having the possession of the same goods: and the sherife, or hee that maketh such deliverie to the partie, or to his executors, to be discharged, for so much as he shall deliver, against the King and Queen's Majesties, her heyres, or successours of the said Queen; and if the sherife, or such person or persons having the said goods, will refuse to deliver to the partie, or to his executors, of the said felons goods, to the value of the goods stolen as is aforesaid, that then he or they, refusing so to doe, to forfeit to the said partie, or to his executors, the value of the said stolen goods, in case there came so much in value to his or their hands; for the which the said partie, or his executors, shall have an action of debt against the said sherife, or any other person or persons, and against their executors, to whose possession the said goods came, or shall come, as is aforesaid; in which action no law wager, protection, nor essoine shall bee allowed,

C H A P. VII.

An Act against making of Aqua Vitæ. Rot. Parl. cap. 16.

FORASMUCH as *aqua vitæ*, a drink nothing profitable to be daily drunken and used, is now universally throughout this realm of Ireland made, and especially in the borders of the Irishry, and for the furniture of Irishmen; and thereby much corn, grain, and other things, are consumed, spent, and wasted, to the great hinderance, losse, and damages of the poor inhabitants of this realm: be it therefore enacted, ordeyned, and established by our sovereign lord and lady the King and Queen's Majesties, the lords spirituall and temporall and the commons in this present Parliament assembled, and by the authoritie of the same, That no person nor persons from henceforth, without having the lord deputie of this realm's licence, sealed with the great seale of this realm, make any *aqua vitæ* within this realm, upon pain of imprisonment at the deputies pleasure, and to forfeit, for every time so offending and making of *aqua vitæ*, four pound of lawfull money of Ireland, the one moytie of the said penaltie of four pound to be to the King and Queen, her heires and successours, and the other moytie thereof to be to such person as will sue for the same by action of debt, by original writ, or bill, before the justices of their Graces bench, or common place, within this realm of Ireland; in which action the defendant shall not wage his law, nor noneessoine nor protection for the defendant shall lye or be allowed in the said action.

Aqua vitæ not to be made without licence of the deputy, under the great seal,

on pain of imprisonment at pleasure and 4l. Ir. one moiety to King, the other to the party suing in B. R. or C. B.

II. Provided alway, that this act, nor any thing therein conteyned, shall not extend nor be prejudiciall to any peers of this realm, nor to no gentleman of the same, that may dispend to his own use in lands or tenements, for terme of life or inheritance, ten pounds sterling by the yeare, nor to no freeman dwelling in any city or borough town within this realm, that is charged with burgessees to the Parliament, but that they the said peers, gentlemen, and freemen, and every of them, shall make *aqua vitæ* for their own expences onely.

But peers, gentlemen of 10l. per annum in lands, &c. for life, or inheritance, or freemen in boroughs, may make for their own expences only.

A. D.

1556.

C H A P. VIII.

¶ *An Act repealing Estatutes, and Provisions made against the See apostolique of Rome, sithence the twentieth Year of King Henry the Eighth, and also for the Establisment of spiritual and ecclesiastical Possessions and Hereditaments conveyed to the Laity.*

1 & 2 P. & M.
8. Eng. repeal
of statutes a-
gainst See of
Rome, since
20 H. 8.
False doc-
trine spread
abroad since
20 H. 8.

Cardinal
Poole sent by
the Pope to call
the people into
the right way.

WHEREAS sithens the twentieth yere of Kinge Henry the eight of famousse memory, Father unto your Majestie owre moost naturall souverain and graciouffe Ladye and Queen, mouch false and erronious doctryne haith ben taught, preachid, and written, partlie by diverse the naturall borne subjects of this realme, and partlie beinge brought in hither from sundrye outhere forryne countries, haith ben sowne and spreade abrode within the same; by reason whereof, as well the spiritualtie as the temporaltie of your Highnes realmes and dominions have swarved from the obedience from the see apostolique, and declined from unitie of Christes church, and soo have contynued untill souche tyme as your Majestie, beinge first reised up by God, and set in the seate roiall over us, and then by his devyne and graciouse providence knyt in marriage with the moost noble and vertus Prynce the King our soverain lorde your husband, the Pope is holiness and the See apostolicque sent hither unto your Majesties (as unto persons undefiled, and by Goddes goodnesse preserved from the commen infection aforesaid) and to the realmes of England and Ireland, the moost reverend father in God, the lordde cardinall Poole, legate *de latere*, to call us home againee unto the right waye from whence wee have all this longe while wandred and straied a brood: and wee, after sondrie longe and grievous plagues and calamities, seeing, by the goodnesse of God, our owne errors, wee, the lordes spirituall and temporall and the commens in this present Parliament assembled, and the hole boddie of this your Highnes realme of Ireland, are the rather, at the contemplacion of your Majesties, received and embraced into the unitie and boosom of Christes church, considering the distance from this, dangir of the seas, exchewing of chardges, and further travaill or labour, repairing to the presens of the said most reverend father in God, the lord cardynall Poole, towards England, there to make our humble submission, accordinge as the lordes spirituall and temporall and the commens in the Parliament holden at Westminster, in the furst and secounde yeres of your most prosperous reignes, which wee, your humble subjects, moost hartlie praie God longe to continue, mencionynge the repele of all estatutes, articles, and provisions, made against the Sea apostolicque of Roome, sithence the twentieth yere of Kinge Henry the eight of moost famousse memorie, your Graces forseinge our

wekenese

wekenese and long contynuanee in our errour, moost lovinglie requiring the redresse thereof and to have us to be in one folde, united and knyght together with your Majesties subjects of England in the faith of Christ, of a godlie purpose, of your accustomed goodnes, alwaie showed unto us your humble subjects of this your Graces realme of Irland, by whose meanes and intercession, we have obteigned of the Pope is holiness Paule, of that name the fourth, by the said moost reverend father in God, cardynall Poole, legate *a latere* of the Sea apostolicque, boethe pardon, forgivance, and remission, togidder with many other beneficts, as by a bull, under the said lorde legates seale, more playnelie doethe apeere, the tenour wheareof ensuyth:

A. D.
1556.
Chap. 8.

Bull of Pope
Paul 4.

“ Reginaldus miseratione divina tituli sancte Marie in cosmedin sancte
“ Romane ecclesie presbiter cardinalis Polus archiepiscopus Cantuarien’ sancti-
“ tissimi domini nostri Pape et sedis apostolice ad serenissimos Philippum et
“ Mariam Anglie et Hibernie reges et universa Anglie et Hibernie Regna
“ ac Dominia et partes illis adjacentes de latere legatus ad perpetuam rei
“ memoriam. Cum insula Hibernie sub dominio Anglie Regnum existens
“ ab ecclesie catholice unitate et Romani Pontificis obedientia cui antea
“ semper maxime dedita fuerat metu potius quam libera voluntate discessisset
“ et ejusdem Insule supremum consilium Parliamentum appellatum quod
“ universum ipsius Insule corpus representat se ipsum et eandem Insulam
“ heresi et schismati involvendo ac sententias censuras et penas tam eccle-
“ siasticas quam temporales contra talio perpetrantes tum a jure tum ab
“ homine latas et promulgatas damnabiliter incurrendo Henrico octavo pri-
“ mum ac deinde Edwardo sexto ad id impellentibus et auctoritatem suam
“ prestantibus quasdam leges seu constitutiones generales contra potestatem
“ et auctoritatem Romani Pontificis edidisset in quibus erat et illud spe-
“ cialiter statutum quod Romanus Pontifex caput ecclesie in terris et Christi
“ vicarius non erat et quod ipse Anglie et Hibernie rex in ecclesia Hi-
“ bernica supremum in terris sub Christo caput existeret. Licet demum
“ eadem Insula ab eo statim tempore quo serenissima Maria Henrici pre-
“ fati filia que semper in recta fide et religione etiam contra domesticas
“ suorum injurias constans et firma prestitit post obitum Edwardi ejus fra-
“ tris una omnium voce Regina declarata fuit et tam hujus regni Anglie
“ quam dicte Insule gubernacula suscepit ac deinde serenissimo Philippo His-
“ paniarum tunc Principi nunc Regi matrimonio conjuncta est ac utriusque
“ pietate sapientia et studio idem Anglie regnum ad voluntatem catholice
“ ecclesie et apostolice sedis obedientiam reductum et omnes constitutiones
“ que per Henricum et Edwardum predictos et ejusdem Anglie regni
“ Parliamentum contra catholicam fidem et ecclesie unitatem late erant re-
“ vocati fuerunt ad ecclesie unitatem & Romani pontificis obedientiam in-
“ effectu redieret ejusdemque Romani pontificis suprematam & auctorita-
“ tem in omnibus agnovit ab eadem apostolica sede tam in Romana curia
“ quam a nobis hoc in regno varias & innumerabiles gratias & indulta
“ impetando aliaque omnia que cetera regna & nationes catholice faciunt
“ faciendo necnon diverse particulares persone tam ecclesie quam tempo-

Tenor thereof.

VOL. I.

S s s

“ rales

A. D.
1556.
Chap. 8.

“ rales que hujusmodi schisma incurrerant a schismate & censuris predictis
 “ tam per nos quam per nostros ad id subdelagatos absolute & ecclesie ca-
 “ tholice reconciliatæ fuerunt nichilominus iidem serenissimi Phillipus & Ma-
 “ ria Reges subditorum suorum animarum saluti & quieti ac tranquillitati
 “ plene consultum cupientes nobis exposuerunt se magnopere desiderare ut
 “ eandem insulam in regnum auctoritate dicte apostolice sedis ad eorum
 “ supplicationem pridem erectam que sicut per dictarum legum & constitu-
 “ tionum contra auctoritatem & potestatem Romani pontificis editionem
 “ universaliter in eandem apostolicam sedem peccant & ab ejus obedientia
 “ destinit ita nunc easdem leges & constitutiones eodem modo quo edite
 “ fuerant per Parliamentum ipsum revocare eidemque apostolice sedi auc-
 “ thoritatem suam restituere intendit ac parata est & ad hunc etiam effec-
 “ tum ex permissione & mandato ipsorum dictorum Parlamentorum nuper
 “ convocavit idque primo fecisset nisi nonnulla justa impedimenta obstatis-
 “ sent universaliter ab heresi & schismate predictis & omnibus penis per-
 “ eam propterea incurfis liberaremus ipsumque regnum Hibernie ad unio-
 “ nem ecclesie catholice receperemus. Et insuper cum schismate in dictum
 “ Hibernie regnum introducto ejusdem regni Parlamenti provisâ auctoritate
 “ celique inferiores ecclesie in collegiatis & forsan in cathedrales ecclesias
 “ erecte ac diverse ecclesie schole & hospitalia fundata. Necnon plurime
 “ dispensationes & beneficiorum provisiones facte fuerunt & multe persone
 “ quibus persuasum fuerat juris canonici dispositionem eo in regno amplius
 “ locum non habere ac omnia ejusdem juris impedimenta matrimonialia ex
 “ eisdem provisis legibus sublata fuisse in consanguinitatis & affinitatis gra-
 “ dibus & aliis impedimentis canonicis sibi obstantibus matrimonia inter se
 “ per verba de presenti contraxerint ac etiam consummaverint, ac multi
 “ processus & actus judicarii tam in prima quam ulterioribus instantiis su-
 “ per rebus spiritualibus & ecclesiasticis coram judicibus tam ordinariis quam
 “ delegatis qui auctoritate laicali procedebant habiti & formati ac super
 “ eis etiam sentencie late & promulgate bonaque ecclesiastica per diversas
 “ ejusdem regni personas occupata & apprehensa fuerint que licet ex sa-
 “ crarum canonum institutis irrita declarari possent, quia tamen si ad alium
 “ quam in quo nunc sunt statu revocarentur publica pax & quies ejus-
 “ dem regni turbaretur & maxima confusio oriretur iidem serenissimi reges
 “ a nobis ut premissarum rerum firmitati & stabilitati providere ejusdem-
 “ que regni quieti & tranquillitati eodem modo quo huic regno Anglie
 “ consulimus consulere vellemus maxima cum instantia postularunt nos
 “ igitur qui legacionis officium pro eo sentinemus qui illius vices in terris
 “ gerit cujus est proprium misereri & parcere attendentes quod pia mater
 “ ecclesia ad se redeuntibus gremium nuncquam cludere solet & aiadusa in
 “ ejusdem insule habitatoribus vera & sincera penitentia & erga sedem ap-
 “ postolicam prefatam debita reverencia ac devotione dictorum serenissimo-
 “ rum regum qui pro unitate ecclesie & sedis apostolice auctoritate in
 “ eisdem regnis restauranda tam sancte & studiose elaborarunt piis & ho-
 “ nestis votis annuentes auctoritate apostolica nobis per sanctissimum Do-
 “ minum nostrum Papam & sedem apostolicam predictam concessa & qua
 “ fungimur in hac parte tenore presentium universum Hibernie regnum
 “ ejusque

A. D.
1556.
Chap. 8.

“ ejusque provincias dominia civitates oppida terras & loca quecunque ab
“ herefi & schismate predicta & quibuscumque suspensionis & interdictorum aliisque
“ ecclesiasticis & temporalibus sentencijs censuris & penis cujuscunque ge-
“ neris existant in quas premissorum occasione universitas ejusdem regni quo-
“ modo libet incurrisset etiam si in eis per plures annos infortuisset & eo-
“ rum obfolucio dicte sedi apostolice etiam per literas in die cene Do-
“ mini legi consuetas reservata existat in utroque conscientie scilicet & con-
“ tencioso foro plenarie absolvimus & liberamus & ad catholice ecclesie uni-
“ tatem recipimus & aliorum Christi fidelium consortio aggregamus ac om-
“ nem inhabilitatem & infamie maculam sive natam ex premissis quomodo
“ libet insurgentem ab eis pendus & omnino abolemus eaque ad pristinos
“ honores dignitates famam ac bona in pristinumque & eundem in quo
“ ante premissa quomodo libet erant statu ita ut omnibus & singulis gra-
“ ciis privilegiis favoribus & indultis eidem regno Hibernie tam a Roma-
“ nis pontificibus quam ab alijs concessis & quibus alii Christi fideles gau-
“ dent & gaudere quomodolibet possunt uti & gaudere valeant in omni-
“ bus & per omnia perinde ac si a fide catholica & ecclesie unitate ac Ro-
“ mani pontificis obedientia nunquam in aliquo defecissent plenarie resti-
“ tuimus & redintegramus & insuper ut ejusdem regni Hibernie paci &
“ tranquillitati consulamus ad quam etiam & omnia que ad eam pertine-
“ rent omni studio procuranda a sanctissimo Domino nostro Papa & sede ap-
“ postolica de latere legati missi sumus atque ut unitas ecclesie ex qua sa-
“ lus tot animarum precisio Christi sanguine redemptarum dependet in eadem
“ regno jam introducta corroboretur & salva permaneat cum ubriusque rei
“ stabilitatem in eo maxime consistere si dictorum bonorum ecclesiastico-
“ rum possessoribus molestia nulla inferatur quo minus ea teneant multa &
“ gravia testimonia nobis fidem faciant utque universum ipsum Hibernie
“ regnum sedes apostolice prefate vere maternam indulgentiam & chari-
“ tatem erga se agnoscat & re ipsa experiatur quoscunque ad quos in-
“ fra scripta pertinent a quibuscumque excommunicationis suspensionis & in-
“ terdicti aliisque ecclesiasticis sentencijs censuris & penis a jure vel ab
“ homine quavis occasione vel causa latis si quibus quomodolibet innodati
“ existunt ad effectum presentem duntaxat consequentem has serie absol-
“ ventis & absolutos fore censuram eadem auctoritate apostolica nobis ut pre-
“ mititur concessa earundem presentium tenore statuimus & decernimus quod
“ omnes & singule cathedralium collegiatarum & aliarum ecclesiarum erecti-
“ ones hospitalium & scholarum foundationes tempore preteriti schismatis li-
“ cet nulliter & de facto attentate in eo statu in quo nunc sunt perpetuo
“ firme & stabiles permaneant illisque apostolice firmitatis robur adjicimus
“ ita ut non temeritate priore sed apostolica auctoritate quam nunc eis
“ tribuimus facte ab omnibus censeatur et cum omnibus et singulis perso-
“ nis Regni Hibernie predicti que in alicujus consanguinitatis vel affinita-
“ tis gradus etiam multiplicis vel cognationis spiritualis seu publice honesta-
“ tis justicie impedimento uno vel pluribus simul de jure positivo introduc-
“ tis et in quibus idem sanctissimus dominus noster Papa dispensare con-
“ suevit matrimonia scienter vel ignoranter tempore schismatis predicti de
“ facto contraxerunt ut aliquo impedimentorum hujusmodi non obstante in

A. D.
1556.
Chap. 8.

“ cor matrimoniis seu contractis libere et licite remanere seu illa de novo
 “ contrahere possint misericorditer in domino dispensamus prolem susceptam
 “ et suscipientam exinde legitimam decernendo ita tum ut qui scienter et
 “ maliciose contraxerint a sententia excommunicationis et ab incestus seu sa-
 “ crilegii reatu obolutionem a suo ordinario vel curato quibus id faciendi
 “ autoritate et tenore predicta facultatem concidemus obtineat et saluta-
 “ rem penitentiam eisdem propterea imponendam adimpleat ac omnes eccle-
 “ siasticas seculares seu quorumcunque ordinum regulares personas que ali-
 “ quas impetrationes dispensationes gratias concessionem et indulta tam ordines
 “ quam beneficia ecclesiastica seu alias spirituales materias concernencia pro-
 “ visa autoritate supremitatis ecclesie Hibernice licet nulliter et de facto
 “ obtinuerint et ad earum reverse ecclesie unitati restitute fuerint in suis
 “ ordinibus et beneficiis per nos ipsos seu per alios a nobis ad id depu-
 “ tatos mirabiliter recipimus pro ut multe jam recepte fuerunt secumque
 “ super hiis opportune in domino dispensabimus ac omnes processus in qui-
 “ busvis instanciis coram quibusvis iudicibus tam ordinariis quam delegatis
 “ etiam laicis super materiis spiritualibus habitos et formatos et sententias
 “ super eis licet nulliter et de facto latas quo ad nullitatem ex defectu
 “ jurisdictionis tantum insurgentum sanamus illosque et illas confirmamus
 “ ac salvis tamen remanentibus iisque de bonis et juribus ecclesiasticis per
 “ serenissimos reges predictos ad nostram dispensationem dimissis per nos
 “ eadem autoritate apostolica statuta fuerunt quibusvis ejusdem Reg-
 “ ni Hibernie personis ad quarum manus bona ecclesiastica ex quo-
 “ cunque contractu seu titulo oneroso vel lucrativo jam devenerint te-
 “ nuerint seu etiam teneant omnes et quoscunque fructus ex eisdem bo-
 “ nis licet indebite perceptos remittimus et relaxamus volentes ac decer-
 “ nentes quod dictorum bonorum ecclesiasticorum tam mobilium quam
 “ immobilium possessores prefati non possint in presenti nec impostum
 “ seu per consiliorum generalium vel provincialium dispensationes seu de-
 “ cretales Romanorum Pontificum epistolas seu aliam quamcunque censuram
 “ ecclesiasticam in dictis bonis seu eorundem possessione molestari inquietari
 “ vel perturbari nec eis aliquae censure vel pene ecclesiastice propter hu-
 “ jusmodi detentionem seu non restitutionem erogari vel infligi et sic per
 “ quoscunque iudices et auditores sub lata eis quavis aliter indicandi et in-
 “ terpretandi facultate et autoritate judicari et diffiniri debere et quicquid
 “ secus attentari contigerit irritum et inane fere decernimus non obstanti-
 “ bus premissis defectibus et quibusvis apostolicis ac inprovincialibus et
 “ sinodalibus consiliis edictis spiritualibus vel generalibus constitutionibus et
 “ ordinationibus ceterisque contrariis quibuscunque volumus autem ut idem
 “ Regnum Hibernie in eo quod proxime celebrabitur Parlamento omnes
 “ leges et constitutiones que ab anno vigesimo Regni Henrici octavi usque
 “ ad Edwardi sexti obitum adversus ecclesie catholice unitatem et sanctissi-
 “ mi domini nostri Pape et sedis apostolice supremitatem et autoritatem
 “ directe vel indirecte in ejusdem Regni Parliamentis seu aliis quomodoli-
 “ bet temere late et promulgate fuerunt cesset irritet et annullat omnemque
 “ eam subjectionem et obedientiam erga romanam ecclesiam quam ante
 “ dictum annum vigesimum eidem exhibebat et prestabat in se recipiat
 “ alioqui

“ alioqui presentes eidem Regno nullatenus suffragentur et insuper admone-
 “ mus cum erectio cathedralium ecclesiarum sit de majoribus causis que
 “ summe pontifici sunt reservate recurrendum esse ad suam scituatem et ab
 “ ea suppliciter postulandum ut has confirmare seu de novo facere dignetur
 “ et licet omnes res mobiles ecclesiarum indistincte iis qui illos tenent re-
 “ laxavimus eos tamen admonitos esse volumus ut ante oculos habentes di-
 “ vini iudicii severitatem contra Balthasarem Regem Babylonis qui vaso
 “ sacra non a se sed a patre et templo ablata in profanos usus convertit ea
 “ propriis si extant vel aliis ecclesiis restituant hortentes etiam et per vis-
 “ cera misericordie Jesu Christi obtestantes omnes eos quos res hec tangit
 “ ut salutis sue non omnino immemores hoc saltem efficiant ut ex bonis
 “ ecclesiasticis maxime iis que ratione personaticum et vicariaticum ad po-
 “ puli ministrorum sustentationem fuerunt specialiter destinate cathedralibus
 “ et aliis que nunc extant inferioribus ecclesiis curam animarum exercenti-
 “ bus ita provideatur ut earum pastores persone et vicarii commode et ho-
 “ neste juxta eorum statum et qualitatem sustentari ac curam animarum
 “ laudabiliter exercere et onera sibi incumbencia congrue supportare possint.
 “ Datum Lambethi prope Londinum Wintonien' diocesis anna a nativitate
 “ Domini millesimo quingentesimo quinquagesimo septimo pridie nonarum
 “ Maii pontificatus sanctissimi in Christo patris et domini nostri domini
 “ Pauli divina providencia Pape quarti anno secundo Reginaldus Cardinalis
 “ Polus legatus.

A. D.
 1556.
 Chap. 8.

Whiche Bull, by the right honorable Thomas Radcliff, knight of the noble order of the Garter, earle of Suffex, vicount Fitzwater, lorde Egremont and Burnell, one of the King's Majestie privie chamber, capitayne of all the Queen's Majesties gentlemen pensioners, and gentlemen at arms in their highness realme of England, and their Majesties lorde deputie of Irelande, right reverendlie was set forthe and deliverid to your Highnes lorde chauncellor of this your said realme of Irelande, whiche also devoutlie and right reverendlie received the same, and upon his kneies, to the good ensample of all others in oppyn Parliament, deliberatelie and distinctlie in an highe voyex red the same, whiche wee the lordes spirituall and temporall, and the commens in this present Parliament, representing the hole boddie of this your said realme of Irelande, in the name of ourselves particularlie, and also of the said boddie universall of this realme, hyringe the same red, embraced and right reverendlie and humblie kneeling on our kneys, beinge repentant, for declaration of our repentance, immediatelie attending upon the said lorde deputie, resorted to the cathedrall church, yeldinge thanks, had *Te Deum* solemmonsellie songe, and further for a due prouf of our repentance in so convenient time, as may be immediatlie by authoritie of this present Parliament, ar contentid, and shall be contentid to abrogate and repele all fouche actes and statutes as hath been made in Parliament, sethens the said twentieth yere of King Henry the eight, against the supremicie of the sea apostolicque of Roome, according to the tenor and effecte of the said Bull. Therefore wee the said lordes spirituall and temporall, and the commens in this present Par-

That all acts
 made against See
 of Rome since
 20 H. 8. be re-
 pealed.

A. D.
1556.
Chap. 8.

The cardinal's
dispensation
confirmed by
Parliament.

liament assembled, render moost humble thanks unto your Majesties, by whose intercession and means wee have obtayned the said remission and dispensations, moost humbly beseeching that the same maye be ordeyned and enacted as folowethe.

II. And therefore be it enacted by the authoritie of this present Parliament, that all and singular articles and claufes conteigned in the said dispensation, aswell touching the establishment of buffhopprickes and cathedrall churches, as alsoo the confirmation of mariags in degrees prohibited by the canons of the church, the legittimacion of childryn, and the ratification of processe, and of sentences in mattiers ecclesiasticall touching the invaliditie of them for want of jurisdiction, and the institucions and destitucions of and in benefices and promotions ecclesiasticall, dispensations, and graces given by fouché order as the publike lawes of the realmes then approvid, and all other things before conteigned in the said letters of dispensation shall remaine, and be reputed, and taken, to all intents and constructions in the lawes of this realme, lawfull, good, and effectual, to be alledgid and pleaded in all courts ecclesiasticall and temporall for good and sufficient matter, either for the plaintiff or defendant, without any allegation or objection to be made againste the validity of theym, by pretence of any generall counsaill, cannon, or decree to the contrarie made, or to be made, in that behaulf.

Monasteries,
&c. granted to
K. H. 8.

III. And whereas diverse and fundrye late monasteries, priories, commandries, nonries, deanries, prebends, colledges, hospitalls, houses of freers, chauntries, and outhér relligiouse and ecclesiasticall houses and places, and the manors, graunges, messuages, landes, tenements, rectories, tiethes, pencions, porcions, vicarages, churches, chapells, advoufons, nominations, parsonages, annuities, rents, revercions, finees, and outhér possessions and hereditaments, to the said late monasteries, priories, nunries, commandries, deanries, chauntries, prebendes, houses of freeres, colledges, hospitalles, and outhér religiouse and ecclesiasticall howses and places, and to fundrie archbuffhopprickes and buffhoppricks within this realme, late apperteynyng and belonging, came as well to the handes and possession of the said Kinge of famousse memorie, Henry theight, father unto your Majestie, our said soveraign Lady, by dissolution, gift, graunt, surrender, attaynder, or outhérwise, as alsoo to the hands and possession of diverse and fundrye outhér persons and boddies pollitique and corporat, by fundrye meanes and conveyances, and assurances, accordinge to thorder of the lawes and statuits of this realme. And where alsoo divers manors, lands, tenements and hereditaments, parcell of the possessions of archebuffhopprickes and buffhoppricks, and many and fondrye late priories, deanries, colledges, chauntries, rectories, prebends, free chapells, gyldes and fraternities, and of the now deanries, colledges, chauntries, rectories, prebends, gilds and fraternities, manors, houses, graunges, lands, tenements, rents, services, and outhér ecclesiasticall possessions

And lands
&c. parcel of
archbushoppricks,
granted to K.
E. 6.

A. D.
1556.
Chap. 8.

possessions and hereditaments, goods and chattles, to the said archebushopprickes, bishhopprickes, priories, deanries, colledgs, chauntries, free chapells, rectories, gilds, and fraternities, late apperteynyng and belonging, or appoynted to and for the fynding of preefts, obits, lights, and outhur like purposes, came aswell to the hands and possession of the late noble King Edward the sixth, brother unto your Majestie soverain Ladie, by virtue of an acte of Parliament thereof made, or outhurwise, as alsoo to the hands and possession of diverse and sondrie outhur persons and boddies politicque and corporat by sondrie meanes, conveyances and assurances, according to thorder of the lawes of this realme, as outhurwise, by assurances from the said deanes and chapters, and everie of them, by any meanes, a great number of whiche said late monasteries, priories, nonries, commandries, deanries, colledgs, hospitalls, prebends, chauntries, free chapells, gildes, and fraternities, and the manors, granges, messuages, lands, tenements, rents, revercions, services, tieths, pencions, porcions, vicarages, churches, chapells, advowsons, nominacions, parsonages, annuyties and hereditaments, goods and chattells to the said monasteries, priories, nonries, commandries, deanries, colledgs, hospitalls, chauntries, free chapells, gilds, fraternities, and outhur ecclesiasticall howses, archebushopprickes and bishhopprickes, belonging, aswell for greate somms of money, as for outhur good and reasonable causes and considerations, have been conveyghed and assurid to diverse the subjects and boddies politicque of this realme, aswell by the said King Henry theight, the said King Edward the sixth, and by your Highness, our soverain Ladie, and joyntlie by boeth your Majesties, as also by diverse the owners of the said ecclesiasticall possessions, which said conveyances and assurances, by their sondrie letters patents and outhur writings more playnelie doe and maie appeere. Forasmuche as the said most reverend father hath alsoo by the said dispensations removed, and taken awaye all mattier of ympeachment trouble and daungier, which by occasion of any generall counsaill, canon, or decree ecclesiasticall, might towteche and disquiet the possessions of fouch goods moveable, lands, tenements, possessions, and hereditaments, as were of late belonging to eny of the said archebushoppricks, bishhoppricks, monasteries, priories, nonries, commandries, deanries, colledgs, chauntries, prebends, rectories, hospitalls, howses of freers, or outhur religiousse and ecclesiasticall howses and places, of what nature, name, kynde, or qualitie soever they be of; yit for that the title of all landes, possessions and hereditaments, in this your Majesties realme is grounded in the lawes, statuts and customs of the same, and by your highe jurisdiction, authoritie roiall, and crowne ymperiall, and in your courts oonlie to be empleaded, ordered, tried, and judgid, and none outhurwise; and understanding that the hole, full, and moost graciouse entent, mynde, and determination of your moost excellent Majesties be, that all and everie person and persons, boddies politicque and corporat, their heirs, successors, and assignes, and every of them, shall have, keepe, retayne, and enjoie, all and everie their estats, rights, possessions, and interests, that they and everie of them nowe hath, or hereafter shall have, of and in all and everie the manors, graunges, messuages, lands, tenements, tiethes, pencions, porcions, advowsons, nomi-

A. D.

1556.

Chap. 8.

The Queen,
&c. shall enjoy
 the scites of late
 monasteries,
&c. as they now
 or hereafter
 shall hold the
 same.

Saving the
 right of others.

nations, patronages, annuyties, rents, reverfions, fervices, hundredes, wapentaks, liberties, franchises, and outhur poffeffions and hereditaments of the faid monasteries, abbies, priories, nonries, commandries, deanries, colledgs, prebends, hospitalls howfes of freers, chauntries, rectories, vicarags, churches, chappells, archbuffhoprickes, and buffhoprickes, and outhur religiouse or ecclesiastical howfes and places, or of eny of them within this realme, and dominions of the fame, by fuche lawes and statutes as were in force before the first daye of this present Parliament, and by outhur lawfull conveyances to theym thereof made; and that it maie be enacted, and therefore be it enacted by the authoritie of this present Parliament, That aswell your Majestie soveraign Ladye, your heires and fucceffors, also all and everie outhur person and persons, boddies politicque and corporat, their heires, and fucceffors, and assignees, nowe having, or that hereafter shall have, hold or enjoye eny of the scites of the faid late monasteries, and outhur the religiouse or ecclesiasticall howfes or places, and all the faid manors, graungs, messuages, lands, tenements, tiethes, pencions, porcions, glebe lands, advoufons, nominations, patronags, annyties, rents, reverfions, fervices, hundreds, wapentaks, liberties, franchises, profits, commodities, and outhur the poffeffions and hereditaments of the faid late monasteries, abbeis, priories, nonries, commandries, deanries, colledgs, prebends, hospitalls, howfes of freers, rectories, vicarages, chauntries, churches, chapells, archebuffhoprickes, buffhoprickes, and outhur relligiouse and ecclesiasticall howfes and places, or any of theym, of what name, nature, or kinde foever they be, shall have, holde, possede, reteyne, keepe, and enyoie, all and everie the faid scits, manors, graungs, messuags, lands, tenements, poffeffions, profits, commodities, and all outhur hereditaments, according to fouche interests and estats as theye, and everie of theym, nowe have or holde, or hereafter shall have or holde, of and in the fame, by the due order and courfe of the lawes and statuits of this realme, whiche nowe be, or wer standing in force before the furst daie of this present Parliament, in manor and forme as theye shoulde have done yf this acte had never ben had, ne made; this acte or any thing herein conteyned to the contrarie in any wise notwithstanding. Saving to yowe our faid soveraign Lady, your heires and fucceffours, and every of theym, and to all and every outhur person and persons, subjects of these realmes, and boddies politicque and corporat, and to their heires and fucceffors of all and every of theym, outhur then fouche whose right, title, or interest is bounden or taken awaye, undone, or extincete, by any acte of Parliament heretofore made, or outhurwise, all fouche right title, cleyme, poffeffion, interests, rents, annyties, commodities, commens, offices, fees, leafes, lycences, livings, pencions, porcions, debts, duties, and outhur profits, whiche they or any of theym lawfullie have, or of right ought to have, or myght to have had, in, of, or to eny of the premisses, or in, of, or to eny parte or parcell thereof, in fouche like maner, forme, and condition, to all intents, respects, constructions and purpofes, as yf this acte had never ben had, ne made.

A. D.
1556.
Chap. 8.

IV. And that it may be further enacted by authoritie aforesaid, That all and everie article, clause, sentence, and proviso, conteyned or specified in eny acte or acts of Parliament, concerning or touching thassurance or conveyance of eny the said monasteries, priories, nonries, commandries, deanries, prebendes, colledgs, chauntries, hospitalls, houses of freers, rectories, vicarags, churchs, chapells, archebushopricks, busshopricks, and outhur religiouse and ecclesiasticall howses and places, or any of theym, or in eny wise concernynge eny manors, lands, tenements, profits, commodities, hereditaments, or outhur things before specified, to the said King Henry theight, or King Edward the sixth, or to either of theym, or any outhur person or persons, or boddie politicque, or corporat, and everie of theym, and all and everie wryting, deede, and instrument, concerning thassurance of eny of the same, shall stand, remayne, and be in as good force and effecte, and strengthe, and shal be pleaded and taken advantage of, to all intents, constructions and purposes, as the same should, myght, or coulde have ben by the laws and statuits of this realme, in case this present acte had never ben had, ne made. And that all feoffments, fynes, surrenders, forfeitours, assurances, conveyances, estates, and interests, in any wise coveyed, had, or made to our said late soverain lorde King Henry theight, or to our said late soverain lorde King Edward the sixth, or either of them, or to eny outhur person or persons, boddies politicque or corporat, or to eny of theym, by deede or deedes, acte or actes of Parliament, or outhurwise of eny of the scites, manors, lands, tenements, possessions, profits, commodities, or hereditaments of any of the said archebushopricks, busshopricks, late monasteries, priories, nonries, commandries, deanries, houses of freers, colledgs, chauntries, hospitalls, prebends, freechappells, or of eny manors, lands, tenements, reversions, fines, tieths, pencions, porcions, annuyties, or of any other hereditaments, of, by, or from any ecclesiasticall or spirituall person or persons, or by, from, eny spirituall or ecclesiasticall corporation, or bodie politicque, shal be as good and vaylable in the lawe, to all intents, constructions, and purposes as they wer by the lawes and statuits of this realme standing in force before the first daye of this present Parliament, and that the same maie and shall be pleaded, alledged, and taken advantage of, in fouch sorte, and to fouch effecte, as they shoulde, coulde, or myght have ben by the lawes and statuits of this realme standing in force before the said furst daye of this present Parliament; and that all and everie clause and article of saving, conteyned in all and everie the said acts and statuits, shall stand, remayne, and be in fouch force, strengthe, and effecte, as they wer before the said furst daye of this present Parliament; any thing conteyned in this present acte, to the contrarie notwithstanding.

V. And that it maie be in like maner enacted by authoritie aforesaid, That whoosoever shall by any processee obtained out of eny ecclesiasticall courte within this realme, or without, or by pretence of any spirituall jurisdiction, or outhurwise, contrarie to the lawes of this realme, inquiet or molest eny person or persons, or boddie politicque, for eny of the said manors,

Penalty for molesting any person for the lands above, premunire, 16 R. 2. 5.

No clause of this act concerning premunire is repealed by 2 El. 1.

VOL. I.

U u u

lands,

A. D.
1556.
Chap. 8.

lands, tenements, hereditaments, or things above specified, contrarie to the words, sentences, and meanyng of this acte, shall encurr the dangier of the acte of pre-munire, made in the sixteenth yere of King Richard the second, and shall suffer and incurre the forfeitures and peynes conteyned in the same.

Suits for
tithes, &c. in
ecclesiastical
court.

VI. Provided alwaie, That it shall and maie be lefull to eny person or persons, bodies politicque and corporat, to sue in eny competent ecclesiasticall or spirituall courte within this realme for tiethes, rights, and dueties, that they or eny of them shall pretend to have of or out of any the said manors, lands, tenements, and outhere the premisses, and to have full and perfit remedie for the same, in souch maner and forme as thei or any of them might or ought to have done or had by the lawes and statuits of this realme, before the making of this acte, and as thoughe this acte had never ben had or made.

Title of su-
preme head of
the church never
could be justly
attributed to
any King or
governor.

VII. And that it maie be further provided and enacted by thauthoritie afore said, That albeit the title or stile of supremacie, or supreme head of the church of England and Irland, or either of theym, never was nor could be justlie or lawfully attributed or knoolegid to eny King or soverain governour of eny of the said realmes, nor in any wyse coulede or might rightfullie, justlie, or lawfullie, by any King, or soverain governor of the same realmes, be claymed, challenged, or used: yit forasmuch as the said title and stile, sethens the thirde daie of November in the twentie sixth yere of the reigne of the said King Henry theight, haith ben used, and is mentioned and conteyned in diverse and sondry writts, letters patents, recordes, exemplifications, court rolls, charters, deeds, instruments, evidences, books, and writings, it shal be lawfull, aswell to and for your Majesties, and your soverain Ladies heires and fuccessors, as to and for everie outhere person and persons, and boddies politicque and corporat, at all tyme or tymes hereafter, to have, re- teyne, and keepe the said writts, letters patents, records, exemplifications, courte rolls, charters, deeds, instruments, evidences, bookes, and writings, and theym to shew, exhibit, use, allidge, and pleade in all tymes and places requisit, or needfull, without any daungier, penaltie, losse, forfeiture, trouble, vexation, or ympeachment for the same; eny thing in this acte, or in any outhere acte, to the contrarie hereof in any wise notwithstanding.

Writts, letters
patents, &c.
with such title,
may yet be kept
and pleaded.

VIII. And where your Highnes soverain Ladye, sethens your commyng to the crowne of this realmes of England and Irland, of a good and christen conscience omitted to write the said stile of supremacie, specified in one acte, made in your late father King Henry theights tyme, aswell in gifts, graunts, letters patents, as in commissiions and outhere writings, and alsoo outhere have in their writings done the same aswell in your tyme as before: and forasmouche as notwithstanding eny lawe made concerning the said stile of supremacie, it was in the free choice, libertie, and pleasure of the King of the said realmes, and of your Highnes, whither ye would expresse the same in the stile or not; be it therefore declared and enacted by authoritie of this present Parliament, That all graunts, letters patents, commissiions, inditements,
records,

records, and writings, made in your owne foverain Ladies name, or in the names of your foverain Lord and Ladye, or any outhier, wherein the faid stile of fupremacie is omitted, is and fhallbe to all intents and purpofes as good and effectuell, as yf the fame had ben therein expreffed, and maye be de- teyned, kept, pleaded, and alledged without any daungier, payne, penaltie, or forfeiture to enfue to any perfon or perfons, or boddie politicque, for or concerning the omiffion of the fame stile, or partie thereof, in any fouché writings; and no perfon ne perfons fhallbe ympeched, molefted, or dampni- fied for, by reafon of any fouché omiffion.

A. D.
1556.
Chap. 8.

Writings, &c.
wherein the
stile of fupre-
macy omitted,
good notwith-
ftanding.

IX. And wheare in an acte of Parliament made fethens the faid twentieth yere of King Henry theight, all bulls, despenfations, and writings, whiche wer before that tyme obteigned from the Sea of Roome, fhould be voide, abolifhed, and extinguyfhed, with a claufe nevertheles, that the matier of them, by virtue of letters patents from the King then being, fhould and might be alledged, pleaded, and allowed as yf the fame had not ben fo abolifhed or extinguyfhed: forasmouche as the faid acte is here before amongft outhier repealid and made voide, be it therefore enacted by authoritie of the prefent Parliament, That all bulls, difpenfations, and privilegedes, obteyned before the faid twentieth yere, or at any tyme fethens, or whiche fhall hereafter be ob- teigned of that Sea of Roome, not conteyning matier contrarie or prejudici- all to the authoritie, dignitie, or preemynence roiall or ymperiall of theife faid realmes, or to the lawes of this realme nowe beinge in force, and not in this Parliament repealid, maye be put in execution, ufed, and alledgit in any court within this realme or elfewheare, whether the fame remayne yit hole, or can appeere to have ben cancellid, in as vailable and effectuell maner to all intents and purpofes, as yf this acte had never ben had or made; any objection by pretence of extinguyfment, or cancelling of the faid bulls, dif- penfations, or privilegedes, or of any other mattier or caufe, by the pretence of the lawes of this realme whatfoever, in any wife notwithstanding.

Bulls, &c.
from Rome, not
prejudicial to
authority royal,
or the laws in
force, and not
repealed in this
Parliament, may
be put in exe-
cution, whether
cancelled or not.

X. And whereas by diffolution of monasteries and outhier religiouse how- fes, certeyne parishe churches and chapells, whiche wer before exempt from the iurifdiction of tharchebushoppe and bushoppe of the dioces, and by spe- cial exemption and privilege from Rome, wer under the gouvernement and or- der of the abbotts and priors of theis religiouse houfes, whiche faid churches, by collour of the faid exemptions, be nowe of speciall graunt from King Henry and King Edward under the ruell and government and iurifdic- tion of temporall and laye men, whoo can no more enyoie that fupremacye over this particuler chirches, then the King might over the hole realme: be it therefore enacted, That all archebusshopps and busshopps in their dioces, and all outhier spirituall perfon and perfons, having iurifdiction, and their minifters and officers, and noo laie perfon or perfons, in everie church and place within the precincte of the fame, being exempt or not exempt, maye freelie, and without ympediment, execute their spirituall iurifdiction in all poincts and articles, as thoughe noo fouché exemtion or graunt had never ben made.

Spiritual, and
no lay, perfons
to execute iurif-
diction, as tho'
no exemption or
grant made.

A. D.

1556.

Chap. 8.

Lands, &c.
may be given or
devised to spiri-
tual bodies,
without licence
of Mortmain

XI. And forasmuch as after this reconciliation and unitie of this noble realme of Irlande to the boddie of Christes church it is to be trusted, that by the abundance of Godd's mercy and grace devotion shall encrease and growe in the harts of many subjects of this realme, with desire to give and bestowe their wordlie possessions for resuscitating of almes, praier, and example of good lif in this realme: to thintent that fouche godlie motions and purposos shoulde be advanced, be it therefore enacted by authoritie of this present Parliament, That it shalbe lawfull to fouche as shalbe seised of any manors, lands, tenements, parsonages, tiethes, pencions, portions, or outhur hereditaments what so ever, in fee simple, in possession, reversion, or remainder, in their owne rights, not being copy holde, maye thereof make feoffements, graunts, or any outhur assurances, or by his last will and testament in writing maye bequeath and give in fee simple all and everye the said manors, lands, tenements, parsonages, tieths, pencions, porcions, or outhur hereditaments to any spirituall boddie politicque and corporat in this realme, and dominions of the same, now erected or founded, without any lycence of mortmayne therein to be obteyned, or any writ of *ad quod dampnum* to be sued out for the same; thaetes *de terris ad manum mortuam non ponendis*, or any outhur acte or estatuit heretofore had or made, in anywise notwithstandinge. Saving to the lords of the fee all rents services due or going out of eny the said lands, or tenements, or hereditaments, soo to be amortified as is aforesaid.

For twenty
years.

XII. Provided alwaye, that this clause of this acte for giving of libertie, of or for the amortizing of lands or tenements, shall conteynue for and during the space of twentie yeres next and immediatlie following, and no longer.

Nothing in
this stat. to be
prejudicial to
the prerogatives
of the crown.

XIII. And forasmouche as wee your Majesties humble and obedient subjects, the lords spirituall and temporall, and commens in this present Parliament assembled, neither by the making or delivering of eny the supplications aforesaid, nor by any clause, article, or sentence thereof, or of any outhur clause, article, or sentence of this or eny outhur estatuits or any of the preambles of the same, made or agreed upon in the cession of this present Parliament, by eny maner of interpretation, construction, implication, or otherwise, entented to derogate, empayre, or dymynyshe, eny of the prerogatives, liberties, franchises, premynences, or jurisdictions of your crowne imperiall of the realmes of England and Irland, and outhur the dominions to the same belonging; wee doo moost humble beseeche your Majesties, that it maye be declared and ordeyned, and be it enacted and declared by authoritie of this present Parliament, That neither the making and exhibiting, or inserting in this present statuit, or in the preambles of the same, of the supplications or promise aforesaid, or either of theym, nor any outhur thing or things, wordes, sentences, clauses, or articles in the preambles or boddie of thaets aforesaid, shalbe construed, understanded, or expounded to derogat

derogat, dymynishe or take awaye, or take awaye eney the liberties, privileges, prerogatives, premynces, authorities, or jurisdictions, or eny parte or parcell thereof, whiche were in your imperiall crowne of this realme, or did belong to your said imperiall crowne the twentieth yere of the reign of yours the Queen's Majestie's moost noble Father, or any outhier your moost noble progenitours, before the said twentieth yere; and the Pope's holines and Sea apostolicque to be restored, and to have and enyoie fouche authoritie, preminence, and jurisdiction, as his holines usid and exercised, or myght have lawfullie usid and exercised by the authoritie of his supremacie, the said twentieth yere of the reigne of the King your Father, within this your realme of Irland, and outhier your dominions, without dymnucion or enlargement of the same, and none outhier; and the ecclesiasticall jurisdiction of the archebushoppes, bushoppes, and ordinaries, to be in the same state for proceffe of suits, ponyshment of crymes, and execution of censures of the chirche, with knowlege of causes belonging to the same, and as large in theise poincts as the said jurisdiction was the said yere.

A. D.
1556.
Chap. 8.

Pope's jurisdiction restored.

And the bishopps, &c.

XV. Provided alwaies, and be it enacted by thauthoritie aforesaid, That in and upon everie fouche gifts and devises to be made to such spirituall corporations or persons as is aforesaid, the donour, feoffer, or devisor thereof, may resarve to hym, and to his heires for ever, a tenure in frankalmoigne, or a tenure by divine service, and to have all remedies and actions for and upon the said gifts, or devises, and tenures, in like maner and forme, as was usid before the statuit of Westmynster thyrd, comonlie callid *Quia emptores terrarum*, the said estatuit, or any outhier lawe or custome nowe being to the contrarie in any wise notwithstanding.

Tenures reserved on gifts to spiritual corporations.

Remedy as before Stat. *Quia emptores*, &c.

XVI. Provided alwaies, and be it enacted, That all and everie person and persons, and boddies politicque and corporat, whiche nowe or hereafter shall have eny estate of inheritance, freeholde, terme or interest of, in, or to eny porcion, pencion, tiethes, glebe lands, or outhier ecclesiasticall or spirituall profit, which by this acte, and the letters of dispensation reherced in the same, be permitted and suffrid to remayne and contynue in laye mens possessions, shall and maye have like remedie for the recoverye of the same, and everie parte thereof, as they, and everie of theym, might have had before the furst daye of this present Parliament; any thing in this acte conteyned to the contrarie in eny wise notwithstanding.

Like remedy as before for recovery of tithes, &c. in lay mens possessions.

Repealed
2 Eliz. 1.

A. D.
1556.

C H A P. IX.

¶ *An Act for reviveinge of thre Statutes made for the Ponyshement of Heresies.*The following
statutes re-
vived.

5 R. 2. 5.

stat. 2.

2 H. 4. 15.

2 H. 5. 7.

Repealed

2 Eliz. 1. sec. 4.

1 Eliz. 1. sec.

15. Eng.

FOR the eschuyng and avoiding of errours and heresies, whiche of late have risen, growen, and mouche increased within this realme; for that the ordinaries have wanted authoritie to procede against those that were infected therewith: be it therefore ordeyned and enacted by the authoritie of this present Parliament, That the statute made in the fifth yere of the reigne of King Richard the second, concernyng the arrestinge and apprehension of erronyous and hereticall preachers, and one outhre statute made in the second yere of the reigne of King Henry the fourthe, concernyng repressing of heresies and ponyshement of hereticks, and also one outhre statute made in the second yere of the reigne of King Henry the fiftie, concernyng the suppression of heresie and Lallardy, and everie article, braunche, and sentence conteigned in the same thre several acts, and everie of them, shall from the furst daie of this present Parliament be revived, and be in full force, strength, and effecte, to all intents, constructions, and purposes, for ever.

C H A P. X.

¶ *An Acte for the Discharge of the Furst Fruites.*

Repealed 2 Eliz.

3.

2 & 3 P. & M.

4. Eng.

28 H. 8. 8.

WHERE in a Parliament holden at Dublin the Mondaie, being the furst day of Maye, in the twenty eighth yere of the reigne of King Henry the eight of famousse memorie, before the lord Leonard Graye, then being his Majestie's lord deputie of this realme of Ireland, whiche was prorogated and adjourned till the Tuesdaie, being the twenty fifth daie of Julie in the said yere, to the towne of Kilkenny, and there holden, and from thence proroged and adjourned till the Wednesdaie, being the twenty eighth daye of the same monethe, to the towne of Caysshell, and then there holden, and proroged and adjourned till Wednesdaie, the second daie of August then next followinge, to Lymericke, and there holden; and from thence proroged and adjourned till Fridaie, being the fifteenth daie of September then next following, to Dublin aforesaid, and there then holden; and for mayntenance of his roiall estate, then being recognised the oonly supreme head in earthe, next and immediatlie under God, of the churches of England and Irland, it was ordeyned, enacted, and established by authoritie of the said Parliament, "That the said King, his heirs, and successoures, should have and enjoie from tyme to tyme, to endure for ever, of everie souche person or persons, whiche at any tyme after the furst daie of this said Parliament, should be nominated, elected, perfected, collated, or by any outhre meanes appoynted to have any archebusshopriche, busshopriche, abbie, monasterie, priorie, colledge, hospitall, archdeaconrie, deanrie, provostshippe, prebend, parsonage, vicarage, chauntrie, free chaple, or outhre dignitie, benefice, office, or promocion spiritual within this realme, of what name, nature, or qualitie soo ever thei were, or to or of whose fundacion, patronage, or gift soo ever thei belonged, the furst fruits, revenues, and profits for one yere, of everie souche archebusshopriche, busshopriche, abbei, monasterie, priorye, colledge, hospitall, archdeaconrie, deanrie, provostshippe, prebend, parsonage, vicarage, chauntrie, free chaple, or outhre dignitie, benefice, office, or promocion spirituall afore named, whereunto any souche person or persons should, after the said furst daie of the said Parliament, be nominated, elected, perfected, presented, collated,

or by any outhere meanes appointed; and that everie fouch person and persons, before any actuall or reall possession, or medling with the profits of any fouch archbishopriche, bishopriche, abbeye, monasterie, priorye, college, hospital, deanrie, provostshippe, prebend, parsonage, viccarage, chauntrie, free chapele, or outhere dignitie, benefice, or promocion spirituall, should satisfie, content and paie, or compound or agree to paie to the King's use, at reasonable daies, upon good fuerties, the said furst fruits for one yere".

A. D.
1556.
Chap. 10.

II. And whear further, in the said Parliament, it was enacted by authoritie aforesaid, "That the said King, his heires and successours, Kings of this realme, for more augmentation and mayntenance of the roiall estate of the imperiall crowne and dignitie of supreme head, should yerelie have, take, receive, and enjoie, united and knytte to his imperiall crowne for ever, one yerelie rent or pencion, amountinge to the value of the twentieth part of all the revenues, rents, farms, tiethes, ofrings, emolymments, and of all outhere profits, as well callid spirituall as temporall, then apperteyning or belonging, or that from thencefourthe should apperteyne or belong to any archbishopriche, bishopriche, abbeye, monasterie, priorye, archdeaconrye, deanrye, hospitall, college, collegiat house, prebend, cathedrall chirche, collegiate chirche, conventuall chirche, parsonage, viccarage, chauntrie, free chapele, or outhere benefice or promocion spirituall, of what name, nature, or qualitie soo ever they were, or lie within any dioces of this realme, the said pencion or annual rent to be yerelie paid for ever to the said late King, his heires and successours, Kings of this realme, at the feaste of the Nativitie of our Lord God, and the furst paiement thereof to begynne at the feaste of the Nativitie of our Lord God one thousand five hundred and thirty seven, and to be paid yerelie by fouch as shal bee appoynted to have the collection thereof, by the said acte, in fouch manner and forme as shoulde be lymitted by the said acte, before the furst daie of April then next following after the said feaste of the Nativitie of our Lord God, as in the said acte, among outhere things, more playnlie appeareth": The King and Queen's moost excellent Majesties, for diverse urgent consideracions, thym, their honours and consciences speciallie movinge, will that it bee enacted, and therefore bee it enacted by authoritie of this present Parliament, That all payments of the said furst fruites, shall from hencefurth cease, and be clerelie extincte and determyned for ever; and that as well all and singuler archbishops, bishops, and outhere benefices, dignities, and promocions spirituall aforesaid, charged and chargeable to and with the paiement of the furst fruits, as all and everie possessor, owner, and incumbent of the same, and their successours, shall, from and after the eight daie of August, in the secound and thyrde yeres of the reignes of our said soverain Lord and Ladye, and soo from thence further at all tymes for ever be clerelie exonerat, acquitted, and discharged against our said soverain Lord and Ladye, and against the heires and successours of our said soverain Ladye, of and from the payement and payements of all and everie the said furst fruits, in as ample and large maner and forme, as they were before the making of the said acte, and as though the same acte had never been had ne made.

Payment of
first fruits to
cease.

III. Provided alwaies, and be it enacted by the authoritie aforesaid, that this acte, or any thing therein conteyned, shall not in any wise extend to extinguyshing or discharge any recognisaunce or outhere bond obligatorie, or any payne, penaltie, debte, or forfeitur had, made or done to the Queene's Highnes, her heires and successours, at any tyme before the said eighth daie of August for and concerning the said furst fruits.

IV. And whereas, fens the said twentie eighth yere of the sayd late King Henry the eight, his Majestie, and the late King Edward the sixt, and our said soverain Lord and Ladye the King and Queen's Majesties, or any of thym, have before this tyme, by their severall and sondrie letters patents, given and graunted, and assurid, as well unto sondrie bushoppes and their successours, as to diverse cathedrall churches, deanes and chapters, colleges, and outhere ecclesiasticall and spirituall persons and corporations, and their successours, diverse manors, lands, tenements, rectories, parsonages, tiethes, glebe lands, and outhere hereditaments, to hold in pure and franke almoigne, or by any outhere tenure, and to paie yerelie unto their Majesties, their heires and successours, oon yerely rent, in the name of a tenth, or the tenth parte of the yerelie value of the same, as by the said severall patents more at large doeth appeere; owr said soverain Lord and Ladye the King and Queen's Majesties that nowe are, further

A. D.
1556.
Chap. 10.

Yearly tenths
heretofore paid
renounced.

willen that it be enacted, and be it enacted by the authoritie of this present Parliament, That the same perpetuall pencion and annuall rent or tenth, mencioned and conteyned in the said acte, made in the said twentie eighth yere of the reigne of the said late King Henry the eight, and the said severall rents and tenths, reserved upon the said letters patents, for and in the name of a tenth, or any of thym, from and after the furst daie of this Parliament, shall nat be paid or payable unto their Majesties, their heires or successours. And that as well all and singulr the archebushopriches, bushopriches, and outhur the benefices, dignities, deanes and chapters, colledgs, incorporacions, and spirituall promociions aforesaid, as all and everie possessour, owner, proprietare, and encumbent of the same, and their successours, and everie of thym, from and after the furst day of this Parliament, shall be clearlie exonerated, acquitted, and dischargd, of and for the paiement of the said perpetuall pencion, annual rent, or tenthes aforesaid, and of the said tenthes resarvid upon the said letters patents, and of everie of thym, against our said soverain lord and ladye, and the heires and successours of the Queen, to the intent that the same maie be ordrid, used and disposid, in maner and forme as hereafter in this acte shall be expressed: and for the better declaracion of their Majesties good and godlie disposicions in the premisses, their Hignesses doo, by authoritie of this present Parliament, clearlie give over, renounce and relynquyshe from thym, and the heires and successours of the Queen's Highnes, the said perpetuall pencion, annuall rent and tenthes, and the said rents reserved *nomine decimæ* upon the said severall letters patents, and all their right, tytle and interest, whiche theye, or the said heires or successours of our said soverain the Queen, have, or maie have in or to the same.

Rectories
glebes, &c. also
renounced by
the Queen.

V. And wheare dyverse and sondrie rectories, parsonags, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions, and outhur profits and emoluments ecclesiasticall and spirituall, to the same or any of thym belonging, and the revercion and revercions of dyverse of them sens the twenti eight yere of the reigne of the said late King Henry the eight, came into the handes and possession of the said late Kynge, and likewise sens his deathe, unto the handes of the said late Kinge Edward the sixth, and after to the handes and possession of the King and Queens Majesties that nowe are, as in the right of her Highnes of an estate of inheritaunce. Their Majesties like good catholicque and christian prynces, earnestlie tendringe the instruccion of their people in true and syncere doctryne, and therewithall waieing the pouvertie and scarcenes of living of manie and sondrie benefices and cures within this realme, by reason whereof sufficient and hable curates can nat be gotten to serve the same, likewise willen that it be enacted, and therefore be it enacted by authoritie of this present Parliament, That their Majesties, and the heires and successours of the Queens Highnes, shall nat, from the first daie of this present Parliament, receive, perceive, take or enyoie, eny of the yssues, revenues, profits or commodities, of the said rectories, parsonags, benefices, glebe lands, tiethes, oblacions, pencions, porcions, and outhur profits and emoluments ecclesiasticall and spirituall aforesaid, or any of thym, or of the revercion or revercions of thym, or of any of thym, but doeth from and after the said furst daie of this present Parliament, clerelie give over, renounce and relynquyshe by the authoritie aforesaid, the said rectories, parsonages, benefices, glebe lands, tiethes, oblacions, pencions, porcions, and outhur profits and emoluments ecclesiasticall and spirituall aforesaid, and every of thym, and the revercion and revercions of thym, and of everye of thym, and all their right, title, use, interest and demande, of, in, or to the same, from thym and the heires and successours of the Queen's Majestie for ever, to be used, employed, ordred and disposid, in manner and forme as in this acte hereafter is expressed and declared.

VI. Provided alwaies, and be it enacted by the authoritie of this present Parliament, That this acte, or any thing therein conteyned, shall not in any wise extend to extinguysh, discharge, or give awaye eny of the yssues, revenues or profits, of the said rectories, parsonages, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions aforesaid, or any arrerages of rents of the same, or the arrerages of eny of the said severall tenthes or twentie parte before specified, or of any part or parcell thereof, due unto their Majesties, her heires and successours, at the said furst daie of this Parliament, or any tyme before the same tyme, but that their Highnesses, her heires and successours, shall have, receive and enyoie, all singuler the said arrerages

of

of the said rents, and severall tenthes due at or before the said tyme, in like manner and forme as yf this act had nat ben made; eny thing before mencioned, lawe, use, or custome, to the contrarie notwithstandinge.

VII. Provided alsoo, and be it enacted by the authoritie aforesaid, That this acte, or eny thing therein conteyned, shall nat in any wise extend to extinguysh, discharge, or to give awaye eny yerelie rent resarved for, and in the name of a tenthe or twentie parte, upon any letters patents heretofore made and graunted, by our said soverain lord King Henry the eight, King Edward the sixth, or by our soverain lord and ladye the King and Queen's Majesties, or by any of them, to any person or persons, and to their heires, or in fee taile general or special, or for terme of life, lives or yeres, or to any boddies politicque or corporat, and to their succeffours, outhen then to spirituall and ecclesiasticall corporacions, and to their succeffours, but that the King and Queen's Majesties, her heires and succeffours, shall have, perceive and enyoie, all and singuler the said rents soo resarved upon any of the said letters patents, nat being made and graunted to any spirituall or ecclesiasticall persons and corporacions, and to their succeffours as is aforesaid, in like maner and forme as yf this act had never ben made. And where the King and Queen's Majesties stand charged for the paiement of sondrie rents, pencions, annuities, corrodies, fees, and outhen yerelie payements severallie graunted, as well by dyverse and sondrie late abbats, priories, masters of colleges, masters of hospitalls, chauntries, preefts, and other ecclesiasticall and spirituall persons, before the dissolucion of their howses, to dyverse and sountdrye persons severaille or yointlie, for term of life, lives, or yeres, as alsoo by her said father King Henry the eight, and by her said broother King Edward the sixth, and by her Majestie, or by any of them, to dyverse and fundrie religiouse persons and outhers, severallie and yointlie for term of life, lives or yeres, the names of whiche persons, together with their severall yerelie rents, pencions, annuities, corrodies, fees, and yerely payemenss and profites, shall be speciallie and particularlie setforth and conteyned in a certeyn boke indented, whereof the one counterpane to be signed by our soverain ladye the Queen, and the oother with the signe manuall of the moost reverend father in God Reynold Pole, cardinal and legate *de Latere* of the Popes holines, and of the sea apostolicque specialli, sent unto their Majesties, and to their kingdoms and dominions, to the intent our said soverain lord and ladye the Kyng and Queen's Majesties, their heires and succeffours, shoulde be from the said furst daie of this Parliament, and at all tymes from thenceforthe, clerelie exonerated, acquitted, discharged, and saved harmeles of and from the payment of the said rents, pencions, annuities, corrodies, fees, and yerelie payements aforesaid; owre said soverain lord and ladye the King and the Queen's Majesties, are pleased and contented that it be enacted, and therefore be it enacted by the authoritie of this present Parliament, That souche and soo manye of the clergie of this realme as the said lord legates grace shall from tyme to tyme name and appoynt, and the succeffours of theym, and everye of theym, yf it shall soo please the said lord legates grace to name, appoynt and assigne theym, shall from the said furst daie of this Parliament, and soo from thenceforthe from tyme to tyme, untill the said rectories, parsonages, and benefices impropriat, and outhen the said spirituall profits shall be outhewise ordred, used and emploied by the assignement of the said lord legates grace, as hereafter is expresse and declared, have, take, perceive and receive, as well all and singuler the said perpetuall pensions, annuall rents or tenthes, and everie of theym, at souche daies and tymes and by all souche waies and meanes as the same is lymitted and appoynted to be paid, either by the said severall letters patents, or by the said former estatuit made in the said twentie eight yere of King Henry the eight, or by any outhen estatuit made for and concernynge the true paiement of the said tenths, or any of theym, as alsoo all and singuler the issues, revenues, profits and comodities, of and in all and singuler the said rectories, parsonages, and benefices impropriat, glebe lands tiethes, oblacions, pencions, porcions, and outhen profits and emolyments ecclesiasticall and spirituall aforesaid, and of the revercion and revercions thereof, when theye shall fall by all souche waies, remedies and meanes, for the levieng and recoverie of the rents and profits of the said premisses, as our said soverain lord and ladye, her highnes heires and succeffours, should or might have done yf the said premisses had still continued in their Majesties hands and possession, to this use, intent, and purpose following; That is to saye, That souche and soo manye of the clergie of this realme, and their

A. D.
1556.
Chap. 10.

Not to extend
to tenths, &c.
on letters pa-
tents.

A. D.
1556.
Chap. 10.

For augmen-
tation of livings,
incumbents, &c.

successours, as the said moost reverend father the lord legates grace, shall name and appoynt, as is aforesaid, shall therewith satisfie, content and paie, or cause to be satisfied, contented and paid, to all and everie the said religious persons, and others named within the said booke indented, whiche at this tyme have or ought to have any pencion, corrodie, annuytie, yerelie rent, profit or fee, for terme of life, lives or yerres, as is aforesaid, all and singuler their said pencions, corrodies, annuyties, rents, or fees, at souche daies and tymes as is lymitted and appointed by severall letters patents, or outhier writings and graunts to theym made, in souche maner and forme as our said soverain lord and ladye the King and Queens highnes, her heirs and successours, should or myght to have paid the same yf this acte had never ben had ne made; eny thing before mencioned to the contrarie notwithstanding. And that theye shall exonerat, acquit and dischardge, or save harmeles the said King and Queen's Majesties, and her heiers and successours, Kings of this realme, of and for the payement of all and singuler the said pencions, annuyties, corrodies and fees, and shall be further bound for the assurance thereof, as shall be devised by their Majesties, with the assent of the said lord legate; eny thing before mencioned to the contrarie notwithstanding.

VIII. And to the intent the poore benefices and cures of this realme, may be hereafter furnyshed with good and hable curates to instructe the people with good and syncere doctryne, and to be hable to maynteyne hospitalitie, and for and to outhier godlie intents and purposes to be done within this realme. Owre said soverain Lord and Ladye the King and Queen's Majesties, of their moost gracious disposicions, are contented and willing that it be enacted, and be it enacted by the authoritie aforesaid, That the said lord legate shall and maie dispose, order and emploie, and convert the said rectories, parsonages, and benefices impropriate, glebe lands, tiethes, oblations, pencions, porcions, and outhier the said profits and empolyments ecclesiasticall and spirituall, to and for the yncrease and augmentacion of livings, of the incumbents of the said or outhier poore cures and benefices, or outhierwise for the fyndinge of preachers, or the exhibicion of scholers within this realme, or els wheare within the realme, or to any outhier use, as by the godlie wisdom and discrecion of the said lord legate, shall be thought moost meete and convenyent. Saving to all and everie persone and persones, boddies politicque and corporat, and theire heires, assigns and successours, and everie of theym, outhier then owre said soverain Lord and Ladye the King and Queen's Majesties, and the heires and successours of the Queen's Highnes, all souche parsonages, nominacions, presentacions, advowsons, right, title, possession, intrest, revercion, remainder, entre, condicion, fees, offices, rents, annuyties, commons, leases, liberties, and all outhier commodities, thing and things, profits and hereditaments what so ever, in like maner and forme to all intents, constructions and purposes, as theye or any of theym should, myght, or ought to have had, into, or out of any of the said tenthes, parsonages, rectories, benefices, vicarages, tiethes, pencions, porcions, oblations, obventions, or in, or to any the premisses, or any parte thereof, in as ample and large manner, as yf this acte had never ben had ne made.

IX. Provided alwaies, and be it further enacted by the authoritie of this present Parliament, That immediatlie after the deceas of the said persons named in the said booke to be indented, and the determinacion of their severall estates and rights, in and to the said annuyties, fees, rents and corrodies, of the said paiements of the said perpetuall pencion, anuell payement, or tenthes, and of the said tenthes and rents, reserved *nomine decime*, upon eny letters patents, made unto ecclesiasticall and spirituall persons aforesaid, shall utterlie cease and be determyned for ever; eny thing herein conteyned to the contrarie in any wise notwithstanding.

X. And be it further enacted by the authoritie of this present Parliament, That all and singuler person and persons, boddies politicque and corporat, being spirituall and ecclesiasticall, and their successours and everie of theym, whiche shall hereafter have and enyoie eny of the said rectories, parsonages, and benefices impropriat, glebe lands, tiethes, oblations, pencions, porcions, and outhier profits and emoluments ecclesiasticall and spirituall aforesaid, shall and maie have and enyoie, by the authoritie of this acte, like advantages, meanes, benefits, actions and remedies, against the lessees and grauntees, their executors, administrators or assigns, and everie of theym, by entre for non payement of rent, from henceforth to be due, or for any wast hereafter to be done, or for breache, or nat performynge of any condicion, covenant or agreement,

A. D.
1556.
Chap. 10.

ment, from thenceforthe to be performed, fulfilled or done, conteyned and expressed in the indentures of the said leases or graunts, against all and everie the said lessees, fermors and grauntees, and their executors, administrators and assignees, and everie of theym, as yf the said person or persons, boddies politicque and corporat, spirituall and ecclesiasticall, their successours and everie of theym, should and myght have had yf theye had ben partie or privie to the said indentures, leases and graunts; and likewise that all and everie the said fermours, lessees, and graunties, their executors, administrators and assignees, and everie of theym, shall and maie have and enyoie fouché parte of the premisses, as is conteyned in their lease or leases graunt or graunts, during fouché tyme as is mencioned and lymitted in eny fouché lease or leases, graunt or graunts, yielding and paieing the yerely rents and services reserved upon the same lease or leases, and performing all and singuler couvenants and agreements specified in everie fouché lease and graunt, the whiche on the lessees parte are to be obsarved and kept; and further shall have like accion, advantage, benefite and remedie against all and everie the said person and persons, boddies polliticque and corporate, spirituall and ecclesiasticall, their successours, and everie of theym, whiche shall have and enyoie eny parte of the premisses, for any condicion, couvenaunt, graunt, or agreement hereafter broken, or nat performed, conteyned, and expressed in their severall indentures of their leases and graunts, or eny of theym, the whiche, on the parte and behaulfe of the lessors, are to be obsarved and kept, as the same lessees or grauntees, or their executors, administrators and assignees, or any of theym, might or shoulde have had against the said person and persons, boddies politicque and corporate, ecclesiasticall and spirituall, and their successours, or any of theym, yf theie had ben boethe partie and privie to the said indentures, leases and graunts.

XI. Provided alsoo, and be it enacted by the authoritie aforesaid, That this acte, or any thing therein conteyned, shall not extend to take awaie from our said soverain Ladie the Queen, her heires and successours, the patronages of any vicarage belonging to any of the aforesaid parsonages, or rectories ympropriat, but that her Highnes, her heires and successours, shall contynue and remayne patronesse and patrons of the said vicarages, in maner and forme, as yf this acte had never ben had ne made; eny thing before mencioned to the contrarie notwithstanding.

XII. And be it further enacted by the authoritie aforesaid, That yf it fortuen any of the said rectories and parsonages impropriat, wheareof there is noo viccare, or that haith the viccarages indowid, and the patronage of the same apperteyneth unto the Queen's Majestie, her heires and successours, to be hereafter disappropriated and made presentable, or outhewise employed as is aforesaid, that then her Highnes, her heires and successours, shall, by virtue of this acte, be judged and deemed verrie and undoubted patrons of everie fouché rectorie and parsonage disappropriated and made presentable; this acte, or any outhere lawe, use or custome to the contrarie in eny wise notwithstanding.

XIII. And be it further enacted by the authoritie of this present Parliament, That yf it fortuen any of the said rectories and parsonages impropriat, the patronage of the vicarage whereof doethe or shall apperteyne unto any person or persons, boddies politicque and corporat, outhere then to our said soverain Ladye the Queen, her heirs and successours, to be hereafter disappropriated and made presentable, that then, in everie fouché cace, the said person and persons, boddies polliticque and corporat, the whiche then shall be patrons of the said vicarages, shall be patrons of the said parsonage soo disappropriated, in like estate, degre and condicion, as they were of the patronage of the vicarage, before the said disappropriacion of the said rectorie or rectories impropriated; eny thing in this acte, or eny lawe or custome to the contrarie notwithstanding.

XIV. Provided alsoo, and be it enacted by the authoritye aforesaid, That when and as often as any person or persones to whome the said pencions, annuyties, corrodies, or fees aforesaid, or any of theym doo belonge, shall be paid thereof, by the authoritie of this acte, or outhewise satisfiede by any order that shall be taken upon the same, by any outhere then the Queen's Majestie, her heires and successours, that then fouché person and persons, or any of theym so paid, or otherwise satisfied, shall nat demaunde the same agayne of the King or Queen's Majesties, her heires or successours, nor shall be double paid of the same; the provision and order of paye-

A. D.
1556.
Chap. 10.
On decease of
lord Legate.

ment thereof before specified, or any outhere thing therein conteyned to the contrarie notwithstanding.

XV. Provided also, and be it further enacted by the authoritye aforefaid, That yf it fortuen the said lord Legat to decease before fouche tyme as the contents of this acte lymitted and appoynted to his Grace to be done, be fullie accomplyshed and executed, that then it shall be lawfull unto the archbusshoppe of Canterburye and Yorke, for the tyme being, and to the eldest busshoppe of that realme, by consecration, and in the tyme of the vacacion of the said archebusshoppriches, or of either of theym, then to the deane and chapter of the seas or sea foo voide duryng the said tyme of vacacion, and foo to the said eldest busshoppe for the tyme being, to doo, execute, and accomplishe all and everie thing and things toutchyng the order and disposicion of the premiffes, as the said moost reverend father the lord Legat shall in his life tyme lymyt, assigne, and prescribe unto theym, and as his Grace should or myght have done; and that the said archebusshoppes and busshoppes, or the said deanes and chapters in the tyme of vaccacion, and the said eldest busshoppe as is aforefaid, shall, from tyme to tyme, after the decease of the said lord Legat, have full power and authoritie, by vertue of this acte, to doo and execute all and everie thing and things toutchyng the order and disposicion of the said premiffes, accordinge as it shall be prescribed to theym by the said lord Legat, and as the said lord Legates grace should or myght have done, yf he had lived; eny thing before mencioned to the contrarie notwithstanding.

XVI. And whereas dyverse and fundrie of the said rectories, parsonages, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions, and outhere profits and empolyments ecclesiasticall and spirituall, have ben heretofore dimifed and graunted to fondrie persons for terme of life, lives, or yeres, as well by diverse and foundrie late abbotes, priories, masters of hospitalls and colleges, and outhere religiouse and spirituall persons and governours, before the dissolucion of their severall and places, as sethens by the said late King Henry the eight, King Edward the sixt, and by our fouverain Lord and Ladye the King and Queen's Majesties, or by anie of theym, and in and by the said leases and graunts, there is alsoo comprehended and demifed, togethers with the said premiffes, or with some parte of the same, dyverse and fundrie manors, lands, tenements, and outhere hereditaments, and upon some of the said leases and graunts, is oone hole and intier yerelie rent resarved for the said spirituall possessions, and for the said outhere manors, lands, tenements and hereditaments therewith alsoo graunted and letten, as by the said severall leases and graunts it maye appeere, or be duellie provid. And wheare alsoo dyverse of the said rectories, parsonages, benefices impropriat, and outhere the spirituall possessions aforefaid, have ben heretofore of foo long contynuanee and tyme, dimifed, letten, and occupied, togethier with manors, lands, tenements, and outhere hereditaments, and foo yointlie occupied and usid, that it is to be doubted, that som ambiguytie question and controversie maye hereafter rise and growe, as well for the division and severance of the glebe lands and outhere possessions of diverse of the said rectories and parsonages, from outhere the said manors, lands, tenements and hereditaments, whiche have ben joyned with the same, in lease and occupation, as for the apporcioning and rating of the said hole and intier yerelie rents, resarved upon fouche lease as is aforefaid: for the avoyding of whiche ambyguyties, questions, and controversies, and to the intent a good indifferent rate and apporcionement of the said entier rent maye be made, according to the quantitie of the said spirituall possession foo letten, and that the glebe lands of the said rectories and parsonages, and outhere the said spirituall possessions foo letten, with outhere landes and possessions as is aforefaid, maye hereafter be knowen, devidid, and usid in severaltie from the outhere temporall possessions wherewith they be letten, foo that fouche spirituall persons as shall be incumbent or owners of the said spirituall possessions, may have, enyoie and receive the same, and the profits and rents thereof in severaltie, from the outhere temporall possessions aforefaid, without any interrupcion or question, according to the King and Queen's Majesties moost godlie intent and meaning; be it therefore enacted by the authoritie of this present Parliament, That in all caces wheare the said rectories, glebe lands, and spirituall possessions, or anie parte thereof, is let, dimifed, and graunted with any of the said manors, lands, tenements, or hereditaments temporall, under one

Where spiri-
tual and tempo-
ral possessions
let together.

rent undevide, or where the said glebe lands and spirituall possessions are not certeynlie knowen, divided, or severed from the outhier temporall possessions therewith also letten, graunted, and occupied, severall commissions shall be from tyme to tyme awarded out of the court of the Exchequer, to fixe indifferent persons, whereof three to be of the spiritualtie, and three to be of the temporaltie, gyving thym authoritie, by virtue of the same, to call before them twelve good and indifferent men, inhabiteing within the countie whereof everie of thym shall have lands, tenements, or hereditaments of an estate of freehoulde, to the yerelie value of five poundes at the least, where the said rectories, glebe lands, and spirituall possessions doo lye; and the same twelve, upon their othes, shall indifferentlie divide and sever, by sufficient meetes and boundes, the said glebe lands of the said rectories, and outhier spirituall possessions, from the outhier lands and possessions with the same letten, and to rate and apporcion howe mouche yerelie rent shall be yerelie paid for the said rectories, and outhier spirituall possessions soo letten, and howe mouche yerelie rent shall be paid for the said manors, lands, tenements, or outhier temporall hereditaments therewithall letten and graunted, as the same twelve, upon their othes and consciences thincke and judge to be, accordinge to the quantitye and value of things soo letten and graunted, and the rating, division and apporcionyng of the said intier rent, and the severaunce and division, as well of the said glebe lands and spiritual possessions from the outhier manors, lands, tenements, and hereditaments temporall, as alsoo of the said manors, lands, tenements, and hereditaments temporall, from the said glebe lands and spirituall possessions, being certified under their scales, and the scales of the said commissioners, unto the said courte of Exchequier, shall be as good and effectuell in the lawe, as yf the said rate and apporcionement of the said rent, or the division and severance of the said manors, lands, tenements and hereditaments, had ben made and done by the authoritie of this present Parliament; eny lawe, use or custome to the contrarie notwithstanding.

C H A P. XI.

¶ *An Act whereby certein Offences be made Treasons; and alsoo for the Governement of the King and Queen's Majestie's Yssue.*

FORASMOUCHE as the great mercie and clemencie heretofore declared by the Queen's Highnes, in releasing the penall lawes made by her progenitours, haith given occasion to many kankrid and traitorouse harts to ymagyne, practise and attempt things, stirring the people to disobedience and rebellion against her Highnes, commen pollici and duetie of subjects requier that som lawe be estsoons established to restrayne the malice of fouche evil and wicked doers, whereby they maye be prohibited to blowe abroad fouche shamfull slaunders and lies as they dailie invent and ymagyne of her Highnes and the King's Majestie, her moost lawfull husband; which, when thei be hard, can nat be but odible and detested of all good men, consydringe they towch their Majesties, upon whom dependeth the hole unitie and universall wealth of this realme of Irland: in consideracion wheareof, bee it ordeyned and enacted by the King and Queen's Majesties, with the assent of the lords spirituall and temporall, and of the commens in this present Parliament, and by authoritie of the same, That yf eny person or persons, after the furst dai of this present Parliament, duringe the marriage between the King's and Queen's Majesties, doo compasse or ymagyne, to deprive the King's Majestie that now is, from the haveinge and enyoieing joyntlie together with the Queen's Highnes, the stile, honour, and kinglie name of the realmes and domynions unto our said soverain Ladie the Queen's Highnes apperteynyng, or to distroie the Kinge that now is, duringe the said matrimony, or to distroie the Queen's Majestie that nowe is, or the heires of her boddie begotten, being Kinges or Queens of this said realme, or to levie warre within this realme of Irland, against the Kinge's Majestie that nowe is, duringe the said marriage, or against the Queen's Majestie that nowe is, or any of her said heires, beinge Kings or Queens of this said realme, or to depose the Queen's Majestie that nowe is, or the heires of her boddie begotten, being Kinges or Queens of this realme, from the ymperiall crowne of the realmes and dominions abovesaid, and the compasses or ymaginacions, or eny of them, malicioufelie, advisedlie, or directlie shall or doo utter by open preachinge, expresse words or saings, or yf eny person or persons, after the said furst daie of this present Parliament, by

Expired.

A. D. 1556. preachinge, expresse words or sayings, shall maliciouslie, advisedlie and directlie, saye, publishe, declare, maynteyne or hold opinion, that the King's Majestie, that nowe is, duryng the said matrimony, ought nat to have or enyoie joyntlie together with the Queen's Majestie, the stile, honour and kyngelie name of this realme, or that anie person or persons, being neither the Kinge or Queen's Majesties, that nowe are, duryng the said matrimony between thym, ought to have and enyoie the stile, honour, and kinglie name of this realme, or that the Queen's Majestie, that nowe is, duryng her lif, is nat nor of right ought nat to be Queen of this realme, or after her death, that the heires of her Highnes boddie, being kings or queens of this realme, of right ought nat to be Kings or Queens of this realme, or to have and enyoie the same, or that any person or persons, other than the Queen's Majestie, that nowe is, duryng her life, ought to be Queen of this realm, or after her death, outhen than the heires of her boddie, being Kings or Queens of this realme, as longe as any of her said heires of her boddie begotten shall bee in lif, of right ought to have and enyoie the ympariall crown of this realme, that then everie fouche offendor, beinge thereof duellie convicted or attaincted by the lawes of this realme, their abettours, procurers and counsaillours, and all and everie their comforters, knowing the said offences or any of theyme to be done, or being thereof convicted or attayncted, as is abovesaid, for his or their fouche offence, shall forfeit or lose to the Queen's Highnes, her heires and successours, all his and their goodes and chattells, and the hole yssues and profits of his and their lands, tenements and outhen hereditaments, for terme of the lif of every fouche offendor or offenders, as alsoo shall have and suffer, duryng his and their lives, perpetual imprisonment.

II. Provided alwaies, and be it enacted by the authoritie aforesaid, That all and everie ecclesiastical person, being convicted or attaynted in forme aforesaid, for every fouch his offence, shall be deprived by the ordinarie from his promocion, spiritual or ecclesiastical, in fouche lyke manner and forme, that it shall be lawfull for every patrone, founder or giver thereof, to present after fouch deprivation had, som oon outhen to the same, as thoughe the said offendor or offendours were disceasid, and if any person or persons, being hereafter convicted or attaynted of any of the said offences in forme aforesaid commytted, shall after his or their conviction or atteynder, estsoons commytte or perpetrate eny of the said offences, in forme aforesaid, that then everie fouche secounde offence or offences, shall be deemed and adjudged high treason, and the offendour or offendours therein, their abettours, procturers and counsaillours, and all and everie their ayders and comforters, knowing the said offences or eny of thym to be done, beinge thereof convicted or attaynted, accordinge to the lawes and statuits of this realmes, shall be judged and deemed high traitours, and shall suffer peyns of deathe and losse, and forfait all their goods and chattells, lands and tenements, to the Queen's Majestie, her heires and successours, as in cases of highe treason, by the lawes of this realme, at this day, of right ought to be lost and forfeited.

III. And be it further enacted by the said authoritie, That yf any person or persons, at any time after the said furst of this present Parliament duringe the said marriage compasse, or ymagin the deathe of the King's Majestie, that nowe is, and the same maliciously, advisedlie and directlie shall utter and attempte, by any writeinge, printinge, overt deede or acte, or yf any person or persons, at any tyme after the said furst daie of this present Parliament, shall maliciouslie, advisedlie and directlie, by writeinge, printinge, overt deede or acte, afferme, that the King's Majestie, that nowe is, duryng the said matrimony, ought nat to have or enyoie joyntlie together with the Queen's Highnesse, the stile, honour and kinglie name of this realme, or that eny person or persons, beinge neither the King or Queen's Majestie, that now is, duringe the saide matrimony between them, ought to have or enyoie the stile, honour and kinglie name of this realme, or yf eny person or persons after the said daie, by any writeinge, printinge, overt deede or acte, maliciouslie, advisedlie and directlie, doo afferme that the Queen's Majestie, that nowe is, duryng her lif, is nat nor ought nat to be Queen of this realme, or after her deathe, that the heires of her highnesse's boddie being Kings or Queens of this realme, of right ought nat to have and enyoie the ymperial crowne of this realme, or that any person or persons, outhen than the Queen's Majestie, that

that nowe is, duringe her lif, or after her deathe, outhen then the heires of her boddie begotten, being Kings or Queens of this realme, as long as any of the said heires of her boddie shall be in lif, of right ought to have and enyoie the ymperiall crowne of this realme, that then everie fouche offence and offences, shall be adjudged highe treason, and the offendour and offendours therein, their abbettours, procurers and counsaillours, and all and everie their aidours and comforters, knowing the said offences, or any of them to be done, beinge thereof convicted or attaynted by the lawes and statutes of this realme, shall be deemed and adjudged highe traitours, and shall suffer paynes of deathe, and lose and forfait all their goodes and chattels, lands and tenements to the Queen's Majestie, her heires and successours, as in cases of highe treason, as is above said.

A. D.
1556.
Chap. 11.

IV. And albeit, wee the lords spirituall and temporall, and the commons in this present Parliament assembled, have firme hope and confidence in the goodnes of Almighty God, that lyke as he haith hitherto myraculoufelie preservid the Queen's Majestie from eny great and ymmynent perills and daungiers, even soo he will of his infynit goodnes, give her Highnes strength, the rather by our contynuell praiers, yit forasmouche as all things of this worlde be uncerteyn, and havynge before our eies, the dolorouse experience of the incounstant government, durynge the tyme of the reigne of the late Kinge Edwarde the sixth, doo pleynlie see the manyfolde inconvenyences, greate daungiers and perills, that maye ensue to this hole realme, yf foresyght be nat used to prevent evill chaunces yf they shoulde happen; for they exchuyng wheareof, wee the lords spirituall and temporall, and the commons in this present Parliament assemblid, for and in consideracion of a moost speciall trust and confidence that wee have and repose in the King's Majestie, for and concernynge the good and politicque government, order and administracion of his realme, in the tyme of the young yeres of the yssue, or yssues of her Majestie's boddie to be borne, yf it shoulde please God to call the Queen's Highnes out of this present lif, durynge the tender yeres of fouche yssue or yssues (whiche God forbid) accordynge to fouche order and manner as hereafter in this present acte of her Highnes moost graciouse pleasure is, shoulde be declared and setforthe, have made our moost humble suit, by assent of the Queen's Highnes, that his Majestie wolde vouchsaf to accepte and take upon hym, the ruell, order, education and government of the said issue, or issues, to be borne as is aforesaid, upon whiche, our suite being of his Majestie moost gracioufelie accepted, it haith pleasid his Highnes, nat onelie to declare that lyke as for the furst parte, his Majestie verrelie trusteth, that Almighty God, who hath hitherto presarvid the Queen's Majestie, to give this realme soo good an hope of certeyn succession in the bloud roiall of the same realme, will assist her Highnes, with his graces and benediccions, to see the fruit of her boddie well brought furthe, live and hable to governe, whereof neither all this realme, nor all the worlde besides, shoulde or coulde receive more comfort, then his Majestie shoulde and woulde, yit yf fouche chaunce should happen, his Majestie, at our humble desires, is pleasid and contented, not alonelie to accepte and take upon hym the cure and charge of the education, ruell, order and government of fouche yssues, as of this moost happie marriage shall be borne between the Queen's Highnes and hym, but alsoo durynge the tyme of fouche government, woulde by all waies and meanes studie, travail and emploie hymself to advaunce the weale, bothe publicque and privat of this realme, and dominions thereunto belongynge, accordinge to the said trust in his Majestie reposed, with noe lesse good will and affection, then yf his Highnes had ben naturallie borne amonge us: In consideracion whereof, be it enacted by the King and Queen's moost excellent Majesties, by the assent of the lords spirituall and temporal, and the commons in this present Parliament assembled, and by the autoritie of the same, that yf it shall soo please God to call the Queen's Majestie out of this present lif, (which God forbid) before the yssue inheritable to the crowne of this realme, yf it be male, shall accomplishe the age of eighteen yeres, or yf it be female, before it shall be of the age of fifteen yeres, and nat married after the age of consent, and before the said age of fifteen yeres, that then and ymmediatelie after, and from the decease of our said sove-

A. D.
1556.
Chap. 11.

rain Ladie the Queen, the Kinges Majestie that nowe is, shall have the ruell, order, educacion and gouvernement of the persone of fouche yssue or yssues, and the ruell, order and gouvernement, under suche yssue or yssues of this realme, and the dominions to the same belonging, untill the same yssue or yssues inheritable to the ymperiall crowne of this realme, yf it be male, shall accomplishe the full age of eighteen yeres, and yf it be female, untill fouche yssue female shall accomplishe the age of fifteen yeres, or be married after the age of consent, and before the seid age of fifteen yeres, yf the said yssue or yssues, and our said soverain Lorde the Kinge shall soo longe live together : and that duryng, and by all the tyme of fouche gouvernement, all and everyie the partes, couvenants, articles, and agreements, mencioned and comprised in the treatises and acte of Parliament, and everie of thym, made and concluded for and concernynge the honorable marriage had and consummat between the Kinge and the Queen's Majesties, whiche on the behaulfe of his Majestie, ben to be observed, performed, and keapt, shall, after the deathe of the Queen's Majestie, duryng the tyme of the said gouvernement, remayne, contynue, and be in as good and full force, strengthe, and effecte, to all intents and purposes, as theye were at eny tyme duryng the said marriage, or now ben, and as yf theye wer newlie by apte wordes, termes, and sentences, inserted and rehersed in this present acte, and newlie made and enacted to stand, remayne, contynue, and to be observed and keapte, duryng the tyme of the said gouvernement, and shall be by his Majestie, duryng the said tyme, inviolablie observed, performed, mayntayned, and upholden, in fouche forte, and in as full, lardge, and ample manner, to all respects, as theie shoulde and ought to be duryng the tyme of the said marriage, or after ; and his Highnes, and the Queen's moost excellent Majestie are pleasid and contented, that it be enacted by this present Parliament, that noo thinge shall be done, permitted, or assented unto by his Majestie to the contrarie.

V. And be it further enacted by the authoritie aforesaid, That yf any person or persons, duringe the tyme that our said soverain lorde the Kinge that nowe is, shall or ought to have the order, ruell, education and gouvernement of fouche yssue or yssues, beinge King or Queene of this realme, according to the order and provision aforesaid, malicioufelie, advisedlie, and directlie, by writing, printinge, overt deede, or acte, doo compasse, attempte, and goo abowt to distroie the person of our said soverain Lorde, or to deprive or remove his Highnes from the order, ruell, education and gouvernement of the same yssue or issues, beinge Kinge or Queene of this realme, contrarie to the intent and true meaninge of this present acte, that then everie fouche person and persons soo offending, their procurers and abbettours, being thereof lawfully convicted, or attaynted by the lawes of this realme, shall be deemed and adjudged highe traitours ; and that all and everie fouche offence and offences shall be deemed and adjudged highe treason, and the offender and offenders therein, their procurers, counsaillours, and abbettours, shall incurre the daungiers, forfeiturs and penalties of highe treason.

VI. And be it further enacted by the authoritie aforesaid, That all trialls hereafter to be had or made for eny treason, shall be had and usid onelie accordinge to the due order and cours of the common lawes of this realme, and nat outhewise. Saving to everie person and persons, boddies politicque and corporat, their heires and succeffours, outhen then the offendours and their heires, and fouche person or persons as cleyme to eny of their uses, all fouche rights, titles, interests, possessions, leases, rents, reversions, offices, and outhen profits, whiche they, or any of thym, shall have at the daie of the committinge fouche treasons, or at eny tyme afore, in as large and ample manner, as yf this acte had never ben had or made.

VII. Provided alwaies, and bee it declared and enacted by the authoritie aforesaid, That concelement, or keepinge secret of anie highe treason, be deemed and taken onelie misprision of treason, and the offendours therein to forfeit and suffer, as in cases of misprision of treason hath heretofore ben usid ; any thing above mencioned to the contrarie notwithstandinge.

VIII. Provided alsoo, That if it shall fortuen hereafter any of the peers of this realme to be indited of any of the offences made treason, or mispricion of treason by this acte, that then the same peere or peeres soo being indited, shall be put to aunswer unto everie fouche inditement before fouche peere of this realm, of English bloud, as by the lord deputie, or governor of this realme, shall be by commission appoynted, under
the

the broode seale, and to have his and their triall by his and their peeres, and to receive and have fouch like judgment upon the same triall of his or their peeres, or making open confession of the same offence or offences, as is used in outhier cases of highe treason.

A. D.
1556.

IX. And it is further enacted by the authoritie aforesaid, That noo person or persons shall in any wyse be ympeached for any of the offences, above said committed, onelie by open preachinge or wordes, oneles the offendour or offendours, be thereof indited within six monthes next after the same open preachinge or words; any thing conteyned in this acte to the contrarie notwithstandinge.

X. Provided alwaies, and be it enacted by the authoritie aforesaid, That upon the arraynement of any persone whiche hereafter shoulde fortuen to be arrayned for eny treason mencioned in this acte, all and everie fouch person and persons, or twoo of theym at the least, as shall hereafter write, declare, confesse, or depose eny thing or things against the persons to be arreigned, shall if theye be then livinge, and within the realme, be brought furthe in persone before the partie arraigned, yf he requier the same, and objecte and say openlie in his hearynge, what they, or any of them, can against hym, for or concernyng any the treasons conteyned in the inditement wheareupon the partie shall be soo arraigned, onelesse the partie arreigned for eny fouch treason, shall willinglie confesse the same at the time of his or their arraignment.

XI. Provided neverthelesse, and be it enacted by the authoritie aforesaid, That in all cases of high treason concernyng coyne currant within this realme, or for counterfaiting the King or Queen's signet privie seale, great seale, or signe manuell, fouch manner of triall, and none outhier, be obsarvid and kept as heretofore haith ben used by the common lawes of this realme; any law, statuit, or any outhier thing or things to the contrarie notwithstandinge.

XII. Provided alwaies, That the counsaillours, procurers, comforters and abettours, for his or their furst offence, shall suffer lyke ponyshement, penaltie, and forfeitur, as is conteyned in this acte against the principall offendours for their furst offence, and none outhier; and that the counsaillors, procurors, comforters, and abettours, for his or their second offence, shall susteyne like ponyshement, penaltie, and forfeitur, as is conteyned in this acte against the principall offendour or offendours, for their secound offence, and none other.

C H A P. XII.

¶ *The Acte of subsidy.* Rot. Parl. cap. 6.

TH E King and Queenes moost humble, faithfull, lovinge, and obedient subjects, the commens in this present Parliament assemblid, prudentlie and lovinglie considering and calling to their remembrances nat onelie the numerable benefits and goodnes which thei heretofore have received, had and enyoied by and from the progenitours of the Queenes moost roiall Majestie, speciallie the moost noble and famouse Princes her father and Broother, and by and from their highnesses, by the tranquillitie of peace, due and just administracion and execution of justice within this their realme of Ireland, sethens the tyme of her assumption of her crown, estate, and dignitie roiall, to their great lawde, glorie and honour, but alsoo the inestimable costs, chardges and expences, whiche their Highnesses necessarilie and of fyne force have ben coacted, and compelled to susteyne and support, in maynteyneyng a contynuell armye and foundrie forts and garrisons in severall partes of this realme, for the suretie and comfort of their Graces subjects, and by outhier fundrie waies and meanes, and upon just and reasonable occasions and groundes, in and for the maynteynenance of their warres, invasion, and defence of their enemies, repressinge and subduyng rebels and traitours, whose moost godlie and honorable acts, as well marciall as outhier their moost prudent affaires and interprises, hereof of late nat onelie redounded to their mortall fame and honcur, but alsoo to the greates quiet, commoditie and profit of this realme of Ireland, in and abowt the which their Majesties, as it is nat unknowen, have exposid and dispendid mouch notable treasure and inestimable substaunce, as well risen and growen of their yerelie revenues of their crowne in this realme, as alsoo of their

A. D.
1556.
Chap. 12.

Subsidy of
13s. and 4d.
on every plough
land, for ten
years.

Commis-
sioners to be ap-
pointed to ex-
tend plough
lands.

their awne treasure in their realme of England, which els their Highnes might have resarvid and kept to their awne use and commoditie. And wheare the Queen's Majestie is justlye and lawfullie intituled unto the crowne and realme of Scotland, and to whose highnes, as to their naturall and soverain liege ladie, all the inhabitants of the same ought to beare due obediens and be subjects, yit neverthelesse, the inhabitants of the owte yles, there called Irishe Scotts, or Red Shankes, contrarie to the dutie of their allegiaunce, do nat onelie rebell against her Majestie, but alsoo doo make diverse and foundrie incurfes, invasions, spoiles, wastings, and depopulacions in the northe parte of this her said Realme of Ireland; wherefore the King's moost excellent Majestie, and hers, like moost godlie, vertuouse, and prudent prynces, intending to meete with their said maliciouse pretended purposes and interprises, and to expely theyme from this their realme, ar forced, and can of their honour noo lesse doo, but determyne, by the help of Almighty God, with power of their army roiall, and of their subjects in this realme, to prosecute with the sworde their said enemyes to the extremyte of their power, as som parte thei have by the right noble lorde the erle of Suffex, their Majesties lord deputie in this realme alreddie with mouch good succeffe done, and soo to inforce and fortifie the said northe partes, as the said enemies shall never henceforthe have soo facill succeffe to disturbe the subjects of this realme, as heretofore thie have had, to the perpetuell furetie, utilitie, and commoditie of this their realme as their loving subjects of the same, for the maynetenaunce of whiche their Majesties determynacion ar required inestimable sommes of treasure to be employed and defraidd abowts the same. Whearefore their said moost loving faithfull and obedient subjects, considringe that it is their office and moost bounden dutie to honour, mayneteyne, and support their Majesties in all their just querells and attemptats with their boddies, lands, goodes, and substaunce, minding to beare with their highnesses in this their moost graciouse and godlie interprize, to the alleviacion of parte of their greate and inestimable chardges, of one mynde, consent and assent, and by authoritie of this present Parliament, doo, for theymselves, and all the hole boddie of this realme, whome thei doo present, frellie, liberallie, moost lovinglie, and benevolentlie, give and graunt unto the King and Queen's Highnesses a subsidie, and humblie requier the same to be enacted; be it therefore enacted by authority of this present Parliament, That their Majesties, and her Graces heires and successours, shall have and perceive yerelie, a subsidy of thirten shillings fower pence, lawfull moneye of Ireland, of and upon everie ploughe land occupied and manured, or hereafter to be occupied or manured within this realme of Ireland, from the tyme of the occupieing or manurance thereof, as long tyme as it shall be so occupied or manured, the said subsidie to be paid in maner and forme afore said, unto our said soverain lord and ladie the Kyng and Queens Majesties, her heires and successours, yerelie from the thirtie daie of September last past, whiche was in the yere of our lord God a thousand five hundred fitye and six, to the end of the terme of tenne yeres then next ensuyng, at the feast of saynte Michell the archangell.

II. And forasmuche as in divers countries and partes of this realme, whiche now be shier grounde, and which ar nat yit established for shire ground, there is noo extent certyn of ploughe landes, by which occasion this benevolence of the said loving subjects, can nat be soo beneficiall unto the Kyng and Queens Majesties, her heires and successours, as they do intend and meane it, onelesse order be taken for reducyng the same to lyke certentie, as thei be in the shiers of Dublin, Kildare, Methe and Lowth; be it enacted, ordeyned, and established by the authoritie of this present Parliament, That the lord deputie, or outhur governour of this realme for the tyme beinge, shall have full power and authoritie, by force of this acte, to make, ordeyne, and depute souche and so manie commissioners in everie countie or shire of this realme now made, established, and known for shire grounde (the said shires of Dublin, Kildare, Methe and Lowthe onlie excepted) for the extending and making of ploughelandes of lyke rate, estimat, and quantiti, as ploughe landes be presentlie moost universallie set out and known in the said shires of Dublin, Kildare, Methe and Loweth, wheareof or upon whiche the said subsidie of thirten shillings fower pence shall be leviabie and perceived, and alsoo for the levieng, rearing, and perceiving of the said subsidie, to the use and behoof of the King and the Queen's Majesties her, heires and successours, in manner afore expressed; whiche rate and extent, soo set owte and

and made by the said commissioners, shall be retourned by theym in the King and Queens Majesties highe courte of the exchequier, ther to remayne of record for ever; and that the same plough-lands soo rated and extended, shall be and stand chardged with the said yerelie subsidie accordinge to the tenour and purport of this present acte, and that everie person and persons within this realme, to their power and knowledge of estate, condicion or degree soever he or they be, shall be ayding and assisting to the said commissioners, and everie of theym, and shall rightlie, trulie and obedientlie, observe and keepe the order to be taken by theym, as well in the extent and rate of the ploughe landes, as for the levieng and rearing of the said subsidie in maner aforesaid, upon paine of five poundes, to be forfeited by everie person that shall offend in this poincte, soo oft as he doethe transgresse this establishment, whiche forfeiture to be levied and taken to the use and behouf of the King and Queen's Majesties, heir heires and successors, of and upon his landes, goodes and chattells, by fouch and the same order as like forfaiturs to their Highnesses, by the lawes of this realme be leviable and perceivable.

III. Provided alwaies and be it enacted by the authoritie aforesaid, that noo maner man spirituall, ne temporall, ne commoner of this realm, nor any corporation within the same, having freedome or discharge of subsidie by the Kinge and Queenes Majesties, or eny her progenitours graunts, or by acte or actes of Parliament of this realme, or outhur lawfull meane, be chardged with subsidie by force of this acte.

IV. Provided alsoo, and be it enacted by the authoritie aforesaid, That all lordes, knightes, esquires and gentlemen, that now be charged by lawe, custome or usage of this realme or hereafter shall be chardged and appoynted by the lorde deputie or outhur governour of this realme for the time being, by reason of their landes and possessions, to goo or send to hostings, roode or journies for service of the realme at their proper chardges, having assignment of carting and carriage after the auncient custome, whiche lordes, knights, esquires, or gentlemen, have or shall have their chief dwellings in the countries owt of the citties and priviledged townes, shall be, during the tyme that they soo dwell or shall dwell in the countrey, free and dischardged of this subsidie, for soo mouche and fouch porcion of their landes and possessions, as presentlie by any ordinarie meane is assigned unto theym as competent for their proper manurance, plowinge and cattell in their chief dwelling places, or that hereafter shall be assigned, lymitted and set oute by commissioners to be appointed in everie shire now established, or hereafter to be established in this realme by the King and Queen, her heires and successors, commission to be made under their great seale of this realme for that purpose, in everie of whiche commission, one of their Majesties privie counsaill in this realme, to be of the quorum, and shall alsoo be free of all coyne and liverce, and of carting and carriag to hoostings, roodes and journies.

V. Be it alsoo enacted by the authority aforesaid, that all fouch lands and tenements, and all outhur possessions and things boeth spirituall and temporall, whiche have comen or hereafter shall come to the King and Queen's Majesties hands or possessions, shall be chardgid with like subsidie in like sorte and maner as thei wer or ought to have ben chardgid with this subsidie heretofore graunted before the comynge of the same landes, tenements and possessions, to the hands and possession of their Highnesses, or any their progenitors. Provided that this acte nor any thing therein conteyned, shall in eny wise extend or be ment to charge eny the polles of Methe or Westmethe, with the said subsidie or eny parte thereof, but that the same polls, and the inhabitants manurers, or occupiers of the same, shall beare and yelde fouch chardges and ymposicions as thei have ben accustomed heretofore; eny thing in this acte to the contrarie notwithstanding.

VI. Provided allwaie, that this acte, nor any thing therein conteyned, shall extend to charge with this subsidie, eny land that at this present is nat shire grounde.

A. D.
1556.
Chap. 12.

A. D.

1556.

C H A P. XIII.

¶ *An Acte declaringe the Queen's Highnes to have bene born in a mosse just and lawfull Matrimony, and also repealinge all Actes of Parliament and Sentences of divors had and made to the contrarie. Rot. Parl. cap. 1.*

FORASMOUCH as truethe beinge of her awne nature, of a moost excellent vertue, efficacye, force and wurking, cannot but by proceffe of tyme break oute and shew herself, howsoever for a tyme, or while shee maie by the iniquitie and frailltie of man be suppressed and kept close, and being revealed and manifested ought to be embraced, acknowledged, confessed and professid in all cases and matters, whatsoever and whomsoever they touch or concern, without respect of persons, but in such cases and matieres speciallie as whearby the glorye and honour of God in Heaven, whoo is the author of trueth, and trueth itself is to be speciallie set forthe, and wherebye alsoo the honour, dignitie, suertie and preservation of the prynce and rueler under God in earthe dependethe, and the welfare, profit and speciall benefit of the universall people and boddie of a realme, is to be contynued and mayntayned. Wec your Highnesse moost lovinge faithfull and obedient subjects, understandinge the verrie truethe of the state of matrimonye between the twoo moost excellent prynces, of moost worthye memorye, Kynge Henry the eight, and Queen Kathrin his lovinge godlie and lawfull wif, your Hignnesse soverain Ladie his lawfull father and mother, can not but thinke our selfe moost bounden booth by our dutie of allegiaunee to your Majestie, and of conscience towardes God, to showe to your Highnesse furst how that the same matrimonye beinge contracted, solemnized and consummated, by the agreement and assent of boothe their moost noble parents, by the counsaile and advise of the moost wyse and gravest men of boethe realmes, by the deliberate and mature consideration and consent of the best and most notable men in learning in thois daies of christendome, did even so contynue by the space of twentie yeres and more between theym to the pleasure of Almightye God, the satisfaccion of the worlde, the joye and comfort of all the subjects of this realme, and to their awne good repose and contentment, God giving for a surer token and testimonye of his good acceptacion of the same, nat onelie goodlie fruit your Highnes moost noble person, whome wee beseeche Almightye and everlastinge God long to prosper and prefarve here amongste us, and outhere issue alsoo, whome yt haith pleasid God to take out of this transitorie lif, unto his eternal glorie; but alsoo sendinge us a happie flourishinge and moost prosperous commen wealthe in all things, and then afterwarde how that the malicious and perverse affections of som, a verrie few persons envieng the grate felicitie, whearein by the goodnes of God, your said moost noble father and mouter, and all their said subjects lived and continued many yeres, did for their awne singuler glorie and veyne reputation, conceive sondrye subtile and disloyall practises, for the interrupcion and breach of the same moost lawfull and godlie concorde, and travaillinge to put the same in ure, devised furst to insynuat a scruple unto the Kinge your fathers conscience, of an unlawfull marriage between hym and his moost lawfull wif, the Queen your Highnes mouter, pretendinge for the grounde thereof, that the same was againste the worde of God, and thereupon ceasid not to perswade continuallie unto the said Kinge your father, that he coulde nat withoute daungier of the losse of his sowll contynue with his said moost lawfull wif, but must have been seperated and divorced from her, and to this intent caused the seales, as well of certain universities in Italie and Fraunce to be gotten, as yt wer for a testimonye, by the corrupcion with money of a fewe light persons scholers of the same universities, as alsoo the seales of the universities of the realme of England, to be obteyned by greate travaill,

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synifter working, fecret threatnynges, and intreatings of fome men of authoritie, specialle fent at that tyme thidther for the fame purpofe, and howe that finallie Thomas Cranmer, then newlie made archebushoppe of Cantorburye, moost ungodlie and againfte all lawes, equitie and confcience, profecutinge the faid wicked advife of divors and feperation of the faid King your father and Queen your murther, callid before *ex officio* the hearinge of the faid mattier of marriage, and takinge his fundacion partlie upon his awne unadvised judgment of the fcripture, joynynge therewith the pretended testimonies of the faid univerfities, and partlie upon bare and moost untrue conjectures, gathred and admitted by hym upon matters of noo ftrengethe or effecte, but onelie by fupposell, and without admittinge or hearinge any thinge that coulde be faid by the Queen youre murther, or by eny outhere of her behaulf, in the abfens of the laid late Queen your murther proceded, pronounced, declared, and gave fentence, the fame moost lawfull and undoubted matrimonye to be naught, and contracted againfte Godds lawe, and of noo value, but lackeing the ftrengethe of the law, and the faid moost noble Kynge your father and the faid noble Queene your murther, foo married together, did feperat and divorfe, and the fame your moost noble father King Henry the eight and the faid noble Queen your murther from the bands of the fame moost lawfull matrimonye did pronounce and declare by the fame his unlawfull fentence to be freele difchardged and fet at libertie; whiche fentence and judgment foo given, by unlawfull and corrupt meanes and waies, by the faid archebushoppe of Cantorburye was afterwards upon certein affections ratified and confirmed by twoo feverall acts made in the tyme of the reigne of the faid Kynge your Highnes father, the oon intituled, *An Acte declareinge the eftabliſhment of the ſucceſſion of the Kings moſt roiall Maieſtie of the ymperiall crowne of this realme*, the oother acte of Parliament made in the tyme of the reigne of the faid Kynge your Highnes father, intituled, *An acte for the ſtabliſhment of the ſucceſſion of the ymperiall crowne of the ſaid realme*; in the whiche faid twoo actes was conteyned the illegittimacions of your moost noble perſon, whiche your faid moost noble perſon, beinge borne in foo follempne a marriage, foo openlie approved in the worlde, and with foo good faithe boeth contracted, and alſoo by foo manie yeres conteyned between your moost noble parents, and the fame marriage in verrie deede nat beinge prohibited by the lawe of God, coulde nat by eny reaſon or equitie in this cace be foo ſpotted. And nowe wee your Highnes moost lovinge, faithfull, and obedient ſubjects, of godlie hart and true meanyng, freele and franklie without feare, phantaſie, or eny outhere corrupt mocion or ſenſuall affeccion, confideringe that this foresaid marriage had his begynnyng of God, and by hym was contynued, and therefore was ever and is to be taken for a moost true, juſt, lawfull, and to all reſpects a ſincere and perfit marriage, nor could ne ought by any meanes, power, authoritie or juuriſdiccion, be diſſolvid, broken, or ſeparated; for whom God joyneth noo man can ne ought to put afunder: and confidering alſoo howe duringe the fame marriage in godlie concorde the realme in all degrees flouriſhed to the glorie of God, the honour of the prynce, and the greate reputacion of the ſubjects of the fame, and on the oother ſide underſtandinge maniſeſtly that the ground of the faid deviſe and praſtiſe for the divorce proceeded firſt of malice and vayne glorie, and afterwards was profecuted and followed of fond affeccion and ſenſuall fantaſie, and finallie executed and put in effecte by corruption, ignoraunce, and flatterie; and fealinge to our greate ſorrowe, damage, and reproof, howe ſhamefull ignomynyes, rebukes, ſlaunders, contempts, yea what deathe, peſtilence, warres, diſobediences, rebellions, infurreccions, and diſverſe outhere greate and greivouſe plagues, God of his juſtice haith ſent upon us ever ſence the faid ungodlie purpoſe was firſt begoone and praſtiſed; but alſoo ſeeinge evidentlie before our eies, that oneleſſe foo greate an injuſtice as this haith ben, and yit contynuethe, be redubbed, and that the faid falſe and wrongfull proceſſe, judgment, and ſentence, with their dependents, be repealed and revoked, noo thing is leſſe to be doubted then that greater plagues and ſtrokes ar like to encreaſe and continue dailie more and more within this realme, doo beſeeche your moſt excellent Maieſties, as well in reſpecte of your

A. D.
1556.
Chap. 13.

A. D.
1556.Enacting part.
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2. *Eng.*

awne honour, dignitie and just title, as for truethes sake, wherewith wee doubt not but your Highnesse alsoo will be speciallie moved in conscience, and alsoo for the entire love, favour, and affection whiche your Majesties beare to the common wealthe of this your realme, and for the good peace, unitie, and rest of us your bounden subjects, and our posterities, that it may be enacted by your Highnesses, with the consent of the lords spirituall and temporall and the commons in this present Parliament assembled, and be it enacted by the authoritie of this present Parliament, That all and everie decree, sentence, and judgment of divorce and separation between the said Kinge your father and the said late Queene your murther, and all the processe commenced, followed, given, made, and promulgated by the said Thomas Cranmer, then archebushoppe of Canterburie, or by any outhere person or persons whatsoever, weare by the same moost just, pure, and lawfull marriage between the said late Kinge your father and the said late Queene your murther, was and is pronounced, or in eny wise declared to be unlawfull or unjust, or against the lawe of God, be and shall be, from the begynnynge and from henceforth of noo force, validitie, or effecte, but be utterlie naught, voide, frustrate, and adnichillated to all intents, constructions, and purposes, as if the same had never ben given or pronounced.

II. And bee it alsoo enacted by authoritie aforesaid, That as well the said acte of Parliament, intituled, *An Acte declaringe the stablisment of the succession of the Kinge's moost roiall Majestie of the ymperiall crowne of this realme*, made in the tyme of the reigne of the King your father, be repealed, and be voide, and of none effecte; as alsoo all and everie fouches clauses, articles, braunches, and mattiers conteyned and expresseid in the foresaid outhere acte of Parliament, made in the said tyme of the reign of the said late King your father, or in any outhere acte or actes of Parliament, as wherebye your Highnes soveraign ladie is named or declared to be illegittimat, or the said marriage between the said Kinge your father and the said Queen your murther is declared to be against the worde of God, or by any meanes unlawfull, shall be and be repealed, and be voide, and of none effecte, to all intents, constructions, and purposes, as yf the same sentence or actes of Parliament had never ben had ne made. And that the said marriage, had and solemnised between your said noble father Kinge Henry and your said moost noble murther Queen Kathrin, shall be diffynitivelye, clerlie, and absolutelie declared, deemed, and adjudged to bee and stand withe God's lawes, and his moost holie worde, and to be accepted, reputed, and taken of full, good effecte and validitie, to all intents and purposes.

C H A P. XIV.

An Acte declarynge that the Regall Power of this Realme is in the Queene's Majestie, as fullie and absolutlie as ever it was in any of her moost noble Progenitours, Kynges of this Realme. Rot. Parl. cap. 2.

1 M. 1.
sess. 3. *Eng.*The regal
power in the
Queen as fully
as in any her
progenitors.

FORASMOUCHE as the ymperiall crowne of this realme, with all dignities, honours, prerogatives, authorities, jurisdictions, and preemynences thereunto annexed, united, and belongynge, by the divine providence of almyghtie God is moost lawefullie, justlie, and rightfullie discended and com unto the Queen's Highnes that now is, being the verrie true and undoubted heire and inheritrix thereof, and invested in her moost roiall person accordinge unto the lawes of this realme, and by force and vertue of the same all regall power, dignitie, honour, authoritie, prerogatif, pre-emy-nence, and jurisdictions, doo apperteigne, and of right ought to apperteigne

per teigne and belonge unto her Highnes, as to the soverain supreeme governour and Queene of this realme, in as full, lardge, and ample maner, as it haith done heretofore to any outhr her moost noble grogenitors, Kings of this realme: neverthelesse, the moost auncynt statuits of this realme, beinge made by Kings then reignyng, doo nat onelie attribute and referre all prerogatif, preemynence, power and iurisdiccio roiall unto the name of Kinge, but alsoo do give, assigne and appointe the correccion and ponysment of all offendours against the regallitie and dignitie of the crowne, and the lawes of this realme, unto the Kinge; by occasion whereof, the maliciouse and ignoraunt persons maie be hereafter induced and perswaded unto this errour and follie, to thinke that her Highnes coulde ne should have, enyoie, and use suche like roiall authoritie, power, preemynence, prerogatif, and iurisdiccio, nor doo ne execute and use all thinges concernynge the said estatuits and take the benefit and priviledge of the same, nor correct and ponyshe offendours againste her moost roiall person and the regalitie and dignitie of the crowne of this realme, as the Kings of this realme, her moost noble grogenitours, have heretofore donne, enyoied, used, and exercised: for the avoidinge and clere extinguishment of which said errors or doubte, and for a playne declaracion of the lawes of this realme in that behaulf, be it declared and enacted by the authoritie of this present Parliament, That the lawe of this realme is and ever haith ben and ought to be understand, that the kinglye and regall office of the realme, and all dignities, prerogatives, power, preemynences, priviledges, authoritie, and iurisdiccions thereunto annexed, united, or belonginge, beinge invested either in male or female, ar and be, and ought to be as fullie, hoolye, absolute and intierlie demed, judged, accepted, invested, and taken in the oon as in the oother, soo that what or when soo ever statuit or lawe doethe lymitte or appoint that the Kinge of this realme maie or shall have, execute, and doo any thinge as Kinge, or doethe give any profit or commoditie to the Kinge, or doethe lymite or appoynte eny peynes or ponysment for the correccion of the offendours or transgressours againste the regalitie and dignitie of the Kinge or of the crowne, the same the Queene beinge supream governess, possessour, and inheritrix to the imperiall crowne of this realme (as our said soverain ladie the Queen moost justlie presentlie is) maye by the same authoritie and power likewise have, exercise, execute, ponishe, correcte, and doo, to all intents, construccions and purposes, withowte doubte, ambiguitie, scruple, or question; any custome, use, scruple, or any outhr thinge whatsoever to be made to the contrarie notwithstandinge.

A. D.
1556.
Chap. 14.

Several causes of making this act.

The royal power and dignities as well in a Queen as in a King.

A. D.

1556.

C H A P. XV.

¶ *An Acte against bringynge in of Scotts, reteyninge of theym, and Marrieng with theym.* Rot. Parl. cap. 13.

*Repealed 11, 12,
13 J. 1. 6*

FORASMOUCHE as diverse rebels, and outhier naughtie and evill disposed persones of the Irishrie within the realme of Irland, have oftentimes heretofore broughte into this realm of Irland Scotts, and outhier estraungiers, beinge men of warre, and have given theym wages, bonaght, and outhier interteynementes within this realme, to supporte, aide, and maynteyne theym in the tymes of their rebellion and otherwise, soo as by the reason thereof Scottes have of late inhabited in the northe partes of this realme in severall places, and have oute thereof expelled the verrie inheritous of the same; a hyndraunce and greate lette, of the King and Queen's Majesties affaires within this their realme: and alsoo the Scottes afore said for their bettier mayntenaunce to remayne and abide within this realme, have and doo dailie allie theymselves by marriages with diverse of the Irishrie in thoise partes, and therebie have diverse tymes procured warre and great trouble in thoise partes: be it therefore enacted, ordeyned, and established by our soverain lorde and ladie the Kinge and Queenes Majesties, the lordes spirituall and temporall and the commens of this present Parliament assembled, and by authoritie of the same, That yf any person or persons at any tyme hereafter doo procure the comynge of Scottes, beyng men of warre, into this realme, or doo bryng into this realme Scottes, beyng men of warre, or do hereafter at any tyme give any Scotte or Scottes, beinge within this realme, and men of warre, eny wages, bonaghts, forryn, or any outhier interteynemente or hie for the sarvice in warre, that then everie fouche offence and offences shall be demed and adjudgid highe treason, and the offendour or offendours therein, their procurers, abettours, and counsaillours, and everie of theym, beyng thereof convicted or attaynted accordinge to the lawes and statuits of this realme, shall be deemed and adjudgid highe traitours and shall suffer peynes of deathe, and losse and forfait all their goods, chattells, lands, and tenements to the King and Queen's Majesties, her Graces heires and successours, as in the caces of highe treason by the lawes of this realme at this daie ought to be lost and forfeited.

II. And be it further enacted by the said authoritie, That yf any person or persons, borne within this realme of Irland, doo hereafter, without havinge the lorde deputie of this realmes lycence, sealed with the greate seale of this realme, contracte matrimonie or marrie with eny Scottishe man, woman, or mayden, that then every fouche offence or offences shall be deemed and adjudgid felonye, and the offendour or offendours therein, their abettours, procurers, and counsaillours, being thereof convicted or attaynted accordinge to the lawes and statuits of this realme, shall be deemed and judged fellows, and shall suffer peynes of deathe, losse and forfaitur of all their goodes, chattells, lands, and tenements to the Kinge and Queen's Majesties, her Graces heires and successours, as in caces of felonys by the lawes of this realme at this daye of right ought to be lost and forfeited.

III. Provided alwaie, that this acte, nor any thinge therein conteigned, shall nat extend or be prejudiciall or hurtfull to any person or persons bringinge any Scottishe merchaunts or Scottishe maryners into this realme withe merchaundise, or for barganyng withe the Scottishe merchaunts or Scottishe maryners in waye of merchaundise.

IV. Provided alsoo, That this acte, nor any thinge therein conteyned, shall nat extende to any Scotte made or to be made denyzyn.

THE SECOND YEAR

O F

ELIZABETH.

STATUTA, ORDIN' Actus, et provisiones. Ædit.
 in quodam Parlamento illustrissimæ principis
 dominæ nostræ ELIZABETH, Dei gratia Regina
 Angliæ, Franciæ & Hiberniæ fidei defensor' &c.
 virtute commissionis & mandatæ dict, dominæ
 Regina sub magno sigillo suo Angliæ apud *Dublin*,
 die Veneris proxim' ante festum sancti *Hilarii*, viz.
 xii. die Januarii, anno regni prædictæ dominæ
 Regina secundo, coram charissimo consanguineo &
 consiliar. suo *Thoma* Comite Suffex, ordinis sui
 garterii milite, capitaneo omnium generosorum
 pensionarior' suorum ad arma, capitali Justic'
 omnium forestarum, parcorum & chacearum suarum
 citra Trentam, ac deputato ejusdem dominæ Regi-
 næ regni sui *Hiberniæ* tent' & ibidem continuat.
 usque ad primum diem Februar. tunc proxim' se-
 quent' & eodem primo die Februarii dissoluto, finito
 & determinato. *Anno Dom. 1560.*

C H A P. I.

*An Act restoring to the Crown, the auncient Jurisdiction over the
 State Ecclesiasticall and Spirituall, and abolishing all forreine Power
 repugnant to the same.*

MOST humbly beseech your most excellent Majesty, your
 faithfull and obedient subjects the lords spirituall and
 temporall, and the commons in this present Parliament assem-
 bled, That where in the time of the raign of your most dear

A. D.

1560.

1 Eliz. 1 Eng.

A. D. 1560. father of worthy memorie, King Henry the eighth, divers good lawes and statutes were made and established, as well for the utter
 Chap. 1. extinguishment and putting away of all usurped and forrein powers

Divers good statutes made in the time of K. H. 8. against usurpations and exactions of foreign power.

which statutes were repealed by 3 and 4 P. and M. 8.

The subjects thereby brought under usurped foreign power.

For remedy thereof, and restoring the rights of the crown.

Said act, 3 and 4 P. and M. 8. repealed, except as hereafter.

The statutes 28 H. 8. 19. and 28 H. 8. 6. revived.

and authorities out of this your realm, as also for the restoring and uniting to the imperial crown of this realm, the auncient jurisdictions, authorities, superiorities, and preheminences to the same, of right belonging and appertayning, by reason whereof, we your most humble and obedient subjects, from the twenty eighth year of the reign of your said dear father, were continually kept in good order, and were disburdened of divers great and intollerable charges and exactions before that time unlawfully taken and exacted, by such forrein power and authoritie as before that was usurped, untill such time as all the said good lawes and statutes, by one act of Parliament made in the third and fourth years of the reigns of the late King Philip and Queen Mary, your Highnesse sister, intituled, *An Act repealing all estatutes, articles, and provisions made against the See apostolique of Rome, sithence the twentieth year of King Henry the eighth, and also for the abolishment of spiritual and ecclesiasticall possessions and hereditaments conveyed to the laity*, were cleerely repealed and made voyd, as by the same act of repeal more at large doth and may appear, by reason of which act of repeal, your said humble subjects were eftsoones brought under an usurped forrein power and authoritie, and yet doe remain in that bondage, to the intollerable charges of your loving subjects, if some redresse, by the authoritie of this your high court of Parliament, with the assent of your Highnesse, be not had and provided. May it therefore please your Highnesse, for the repreffing of the said usurped forrein power, and the restoring of the rights, jurisdictions, and preheminences appertayning to the imperial crown of this your realm, that it may be enacted by authority of this present Parliament, That the said act, made in the third and fourth years of the reigns of the said late King Philip and Queen Mary, and all and every braunch, clauses and articles therein containned, other than such braunches, clause, and sentences, as hereafter shall be excepted, may, from the last day of this session of Parliament, by authoritie of this present Parliament, be repealed, and shall from thenceforth bee utterly voyd and of none effect; and that also for the reviving of divers of the said good lawes and statutes made in the time of your said dear Father, it may also please your Highnesse, that one act and estatute made in a Parliament holden at Dublin, the first of May, in the eight and twentieth year of the said late King Henry the eighth, and after proroged, adjorned, and continued, as by the roll of the said Parliament more at large appeareth, intituled, *The Act of appeals*: and also one act made in the said Parliament, intituled, *The Act of faculties*; and also all and every braunches, words, and sentences in the said several acts and estatutes conteyned by authority of this present Parliament,

from

from and at all times after the last day of this session of Parliament, shall be revived, and shall stand and be in full force and strength, to all intents, constructions, and purposes; and that the braunches, sentences, and words of the said several acts, and every of them, from thenceforth shall and may be judged, deemed, and taken, to extend to your Highnesse, your heyres and successors, as fully and largely as ever the same acts, or any of them, did extend to the said late Henry the eighth, your Highnesse Father.

A. D.
1560.
Chap. 1.

II. And that it may also please your highnesse, that it may be enacted by authority of this present Parliament, That so much onely of one act or estatute made in a Parliament begun at Dublin, the thirteenth of June, in the thirty third year of the reign of your said deere father King Henry the eighth, and after proroged, adjourned, and continued, as by the rolls of the said Parliament more at large appeareth, intituled, *An act for marriage*, as doth touch and concern degrees of consanguinitie, may from henceforth likewise stand and be revived, and remain in full force and strength, to all intents and purposes: any thing in this said act of repeal before mentioned, or other matter or cause to the contrary notwithstanding.

So much only of the stat. 33 H. 8. 6. as concerns degrees of consanguinity, revived.

III. And that it may also please your Highnesse, that it may be further enacted by the authoritie aforesaid, That all other lawes and statutes, and the braunches and clauses of any act or estatute repealed and made void by the said act of repeal, made in the time of the said late King Philip and Queen Mary, and not in this present act specially mentioned and revived, shall stand, remain, and be repealed and void, in such like manner and form as they were before the making of this act; any thing herein containd to the contrary notwithstanding.

All other statutes, and clauses repealed by 3 and 4 P. & M. 8. and not in this act specified and revived, continue repealed.

IV. And that it may also please your Highnesse, that it may be enacted by the authority aforesaid, That one act or estatute made in the third and fourth years of the said late King Philip and Queen Mary, intituled, *An Act for revyving of three Estatutes made for the Punishment of Heresies*; and also the said three estatutes mentioned in the said act, and by the same act revived, and all and every braunches, articles, clauses, and sentences containd in the said several acts or estatutes, and every of them, shall be from the last day of this session of Parliament deemed and remain utterly repealed, void, and of none effect, to all intents and purposes; any thing in the said several acts or any of them containd, or any other matter or cause to the contrary notwithstanding.

An act 3 & 4 P. & M. 9, for reviving three statutes of heresy, and also the said three statutes, repealed.

V. And to the intent that all usurped and forreign power and authority spiritual and temporal may for ever be cleerly extinguished, and never to be used or obeyed within this realm; may it please your Highnesse, that it may be further enacted by the authority aforesaid, That no forreign prince, person, prelate, state, or potentate, spiritual or temporal, shall at any time after the last

No foreign power to exercise ecclesiastical jurisdiction in this realm.

A. D.
1560.
Chap. I.

day of this session of Parliament use, enjoy, or exercise any manner of power, jurisdiction, superiority, authority, preheminance, or priviledge spiritual or ecclesiasticall within this realm, but from henceforth the same shall be clearly abolished out of this realm for ever; any estatute, ordinance, custome, constitutions, or other matter or cause whatsoever, to the contrary in any wise notwithstanding.

Such jurisdiction annexed to the crown.

The Queen by letters patent under the great seal of England, or of this realm, or the governors by letters patents under the great seal of this realm, may assign natural born subjects, to exercise the same.

VI. And that also it may likewise please your Highnesse, that it may be established and enacted by the authority aforesaid, that such jurisdiction, priviledges, superiorities, and preheminences spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority hath heretofore been or may lawfully be exercised or used for the visitation of the ecclesiastical state and persons, and for reformation, order, and correction of the same, and of all manner errors, heresies, schismes, abuses, offences, contempts, and enormities, shall for ever by authority of this present Parliament be united and annexed to the imperial crown of this realm; and that your Highness, your heyres and successors, Kings or Queens of this realm, shall have full power and authority by vertue of this act by letters patents under the great seal of England or of this realm, and the lord deputy, and other governour or governours of this realm for the time being, shall have likewise full power and authority by vertue of this act, by letters patents to be made by his or their warrants under the great seal of this realm, to assigne, name, and authorise, when and as often as your Highness, your heyres and successors, or the lord deputy, governour or governours of this realm for the time being, shall think meet and convenient, and for such and so long time as shall please your Highness, your heyres or successors, or the lord deputie, governour or governours of this realm for the time being, such person or persons being natural born subjects to your Highness, your heyres or successors, as your Majestie, your heyres or successors, or the lord deputie, governour or governours of this realm for the time being, shall think meet to exercise, use, occupie, and execute, under your Highness, your heyres and successors, all maner of jurisdiction, priviledges, and preheminences, in any wise touching or concerning any spirituall or ecclesiastical jurisdiction within this your realm of Ireland, and visite, reforme, redress, order, correct, and amend all such errors, heresies, schismes, abuses, offences, contempts, and enormities whatsoever, which by any maner spiritual or ecclesiastical power, authority or jurisdiction, can, or may lawfully be reformed, ordered, redressed, corrected, restrained, or amended, to the pleasure of Almighty God, the encrease of vertue, and the conservation of the peace and unitie of this realm; and that such person or persons so to be named, assigned, authorised, and appointed by your Highness, your heyres or successors, or by the lord deputie, governour or governours of this realm for the time being, in maner aforesaid, after the said letters patents to him or them made

made and delivered as is aforesaid, shall have full power and authority by vertue of this act, and of the said letters patents under your Highness, your heyres or successours, to exercise, use, and execute all the premises according to the tenour and effect of the said letters patents: any matter or cause to the contrary in any wise notwithstanding.

A. D.
1560.
Chap. 1.

VII. And for the better observation and maintenance of this act, may it please your Highness, that it may be further enacted by the authority aforesaid, That all and every archbishop, bishop, and all and every other ecclesiastical person, and other ecclesiasticall officer and minister, of what estate, dignitie, preheminance or degree soever he or they be, or shall be, and all and every temporall judge, justicer, mayor, and other lay or temporall officer and minister, and every other person having your Highnesse fee or wages within this realm, shall make, take and receive a corporall oath upon the evangelists before such person or persons as shall please your Highnesse, your heyres or successours, under the great seal in England, or of this realm, or the lord deputie, or other governor or governors of this realm for the time being, by letters patents to be made by his or their warrant under the great seale of this realm, to assigne and name, to accept and take the same, according to the tenour and effect hereafter following, that is to say,

Who compellable to take the oath of supremacy. Ecclesiastical persons and officers, Judge, Justice, Mayor, Temporal officer, He that has the Queen's fees or wages.

I A. B. doe utterly testifie and declare in my conscience, that the Queen's Highnesse is the onely supream governour of this realm, and of all other her Highnesse dominions and countries, as well in all spirituall or ecclesiastical things or causes, as temporall, and that no forreigne prince, person, prelate, state or potentate, hath or ought to have any jurisdiction, power, superioritie, preheminance, or authoritie, ecclesiasticall or spirituall within this realm, and therefore I doe utterly renounce and forsake all forreine jurisdictions, power, superiorities and authorities, and doe promise, that from henceforth I shall bear faith and true allegiance to the Queen's Highnesse, her beires and successours, and to my power shall assist and defend all jurisdictions, privileges, preheminences and authorities, graunted or belonging to the Queen's Highnesse, her beirs and successours, or united and annexed to the imperiall crown of this realm, so help mee God, and by the contents of this booke.

The Oath.

Repealed by St. 3 W. and M. 2. Eng. and another oath appointed.

VIII. And that it may bee also enacted, that if any such archbishop, bishop, or any other ecclesiastical officer or minister, or any of the said temporall judges, justicer, or any other lay officer or minister, shall peremptorily, or obstinately, refuse to take or receive the said oath, that then he so refusing shall forfeit and lose, onely during his life, all and every ecclesiastical and spirituall promotion, benefice and office, and every temporall and lay promotion and office, which he hath sole at the time of such refusall made; and that the whole title, interest and incumbencie, in every such pro-

Penalty for refusing the oath.

Forfeiture of office and promotion, during life.

A. D. 1560. Chap. 1. motion, benefice, and other office, as against such person onely so refusing during his life, shall cleerely cease and bee void as though the partie so refusing were dead, and that also all and every such person and persons, so refusing to take the said oath, shall immediately after such refusall bee from thenceforth, during his life, disabled to retaine or exercise any office or other promotion, which hee at the time of such refusall had joyntly or in common with any other person or persons; and that all and every person and persons that at any time hereafter shall bee preferred, promoted or collated to any archbishopricke, or bishopricke, or to any other spirituall or ecclesiasticall benefice, promotion, dignitie, office, or ministrie, or that shall be by your Highnesse, your heyres or successours, preferred or promoted to any temporall or laye office, ministrie or service within this realm, before hee or they shall take upon him or them to receive, use, exercise, supply or occupie any such archbishoprick, bishoprick, promotion, dignitie, ministrie, office or service, shall likewise make, take and receive the said corporall oath before mentioned, upon the evangelist, before such persons as have or shall have authoritie to admitt any such person to any such office, ministrie or service, or else before such person or persons as by your Highnesse, your heyres or successours, by commission under the great seal of England, or of this realm, or by the lord deputie, or other governour, or governours of this realm for the time being, by letters patents to bee made by his or their warrant under the great seal of this realm, shall be named, assigned or appointed to minister the said oath.

Persons to
take the oath.

IX. And that it may likewise be further enacted by authoritie afore said, that if any such person or persons as at any time hereafter shall be promoted, preferred, or collated to any such promotion spirituall or ecclesiasticall benefice, office or ministry, or that by your Highnesse, your heires or successours, shall be promoted or preferred to any temporall or laye office, ministrie or service, shall and doe peremptorily and obstinately refuse to take the same oath so to him to be offered, that then he or they so refusing shall presently bee judged disabled in the law to receive, take and have the same promotion spirituall or ecclesiasticall, the same temporall office, ministrie or service within this realm, to all intents, constructions, and purposes.

He that
sueth livery
or oustre le
main, that
doth homage
to the Queen,
or received
into the
Queen's ser-
vice, that
takes orders,
or degrees in
the university.

X. And that it may bee further enacted by the authoritie afore said, that all and every person and persons temporall, suing livery or ousterlemain out of the hands of your Highnesse, your heires or successours, before his or their livery or ousterlemain sued forth and allowed, and every temporall person or persons, doing any homage to your Highnesse, your heires or successours, or that shall bee received into service with your Highnesse, your heires or successours, shall make, take and receive the said corporall oath before mentioned, before the lord chauncellor of Ireland, or keeper of the great seal for the time being, or before such person or persons as by your Highnesse,

nesse, your heires or successeurs, or by the lord deputie, or other governour or governours of this realm for the time being, by letters patents to be made by his or their warrants under the great seal of this realm, shall be named and appointed to accept and receive the same; and that also all and every person and persons taking orders, and all and every other person and persons which shall be promoted or preferred to any degree of learning, in any universitie that hereafter shall bee within this your realm, before he shall receive or take any such orders, or be preferred to any such degree of learning, shall make, take and receive the said oath, by this act set forth and declared as is aforesaid, before his or their ordinary, commissary, chauncellor or vice chauncellor, or their sufficient deputies in the said universitie.

A. D.
1560.
Chap. 1.

XI. Provided alway, and that it may be further enacted by the authoritie aforesaid, That if any person having any estate of inheritance in any temporall office or offices, shall hereafter obstinately and peremptorily refuse to accept and take the said oath as is aforesaid, and after at any time during his life shall willingly require to take and receive the said oath, and so to take and accept the same oath, before any person or persons that shall have lawfull authoritie to minister the same, that then every such person immediately after hee hath so received the same oath, shall be vested, judged and deemed in like estate and possession of the said office, as he was before the said refusall, and shall and may use and exercise the said office in such manner and forme as hee should or might have done before such refusall; any thing in this act conteyned to the contrary in any wise notwithstanding.

He that has estate of inheritance in temporal office, refusing, and afterwards taking the oath, shall be vested in, and use such office as before refusal.

XII. And for the more sure observation of this act, and the utter extinguishment of all forrein and usurped power and authoritie, may it please your Higness, that it may be further enacted by the authoritie aforesaid, That if any person or persons dwelling or inhabiting within this your realm, of what estate, dignitie or degree soever he or they be, after the end of thirtie daies next after the determination of this session of this present Parliament, shall by writing, printing, teaching, preaching, expresse words, deed or act, advisedly, maliciously, and directly affirm, hold, stand with, set forth, maintain and defend, the authority, preheminance, power, or jurisdiction spiritual or ecclesiasticall, of any forrein prince, prelate, person, state or potentate whatsoever heretofore claymed, used or usurped within this realm, or shall advisedly, maliciously and directly put in ure or execute any thing for the extolling, advancement, setting forth, maintenance or defence of any such pretended or usurped jurisdiction, power, preheminance, or authority, or any part thereof, that then every such person and persons so doing and offending, their abbettours, aydours, procurers, and counsellours being thereof lawfully convicted and attainted according to the due order and course of the com-

Penalty of maintaining or defending foreign authority.

A. D.
1560.
Chap. 1.

First offence,
forfeiture of
goods and
chattels:
a year's im-
prisonment,
besides, if he
has not 20l.
if an ecclesi-
astical person,
his benefice to
be void, as if
dead, and the
patron may
present.

Second of-
fence præmu-
nire, 16 R. 2.
5.

Third of-
fence high
treason.

Offenders by
words only,
to be prose-
cuted within
half a year.

mon lawes of this realm, for his or their first offence shall forfeit and lose unto your Highnesse, your heyres and successours, all his and their goodes and chattels as well reall as personall, and if any such person so convicted or attainted shall not have or be worth of his proper goods and chattels to the value of twentie poundes, at the time of such his conviction or attayndour, that then every such person so convicted and attaynted over and besides the forfeiture of all his said goodes and chattels, shall have and suffer imprisonment by the space of one whole year without bayl or maineprise; and that also all and every the benefices, prebends and other ecclesiasticall promotions and dignities whatsoever, of everie spirituall person so offending and being attainted, shall immediately after such attaindour bee utterly voyd to all intentes and purposes, as though the incumbent thereof were dead; and that the patron and donour of every such benefice, prebend, spirituall promotion and dignitie, shall and may lawfully present unto the same, or give the same in such manner and from as if the said incumbent were dead; and if any such offendour or offendours after such conviction or attaindour doe eftsoones commit or doe the said offences or any of them in manner and form aforesaid, and be thereof duely convicted and attainted as is aforesaid, that then every such offendoure or offendours shall for the same second offence incurr into the dangers, penalties and forfeitures, ordeyned and provided by the statute of provision and premunire made within the realm of England in the sixteenth year of the reign of King Richard the second, and if any such offendour or offendours at any time after the said second conviction and attaindour, doe the third time commit and doe the said offences, or any of them, in manner and form aforesaid, and be thereof duly convicted, and attaynted as aforesaid, that then everie such offence or offences shall bee deemed and adjudged high treason, and that the offendour, and the offendoures therein, being thereof lawfully convicted and attainted according to the lawes of this realm, shall suffer paines of death, and other penalties, forfeitures and losses, as in cases of high treason, by the lawes of this realm.

XIII. And also that it may likewise please your Highnesse, that it may bee enacted by the authoritie aforesaid, that no manner of person or persons, shall bee molested or impeached for any the offences aforesaid, committed or perpetrated onely by preaching, teaching, or wordes, unlesse hee or they bee thereof lawfully indicted within the space of one half year next after his or their offences so committed; and in case any person or persons shall fortune to bee imprisoned, for any of the said offences committed by preaching, teaching, or wordes onely, and bee not thereof indicted, within the space of one half year next after his or their such offence so committed and done, that then the said person so imprisoned, shall be set at libertie, and bee no longer detained prisoner for any such cause or offence.

XIV. Provided

XIV. Provided alwayes, and bee it enacted by authority aforefaid, that this act, or any thing therein containd, shall not in anie wise extend to repeal any clause, matter or sentence containd or specified in the said act of repeal made in the said third and fourth years of the reignes of the said late King Philip and Queen Mary, as doth in any wise touch or concerne any matter in case of premunire, or do make or ordeine any matter or cause to bee within the case of premunire, but that the same, for so much onely as toucheth and concerneth any case or matter of premunire, shall stand and remaine in full force and effect as the same was before the making of this act; any thing in this act contained to the contrary in any wise notwithstanding.

A. D.
1560.
Chap. I.

This act not to repeal any clause in 3 and 4 P. M. 8. concerning præmunire.

XV. Provided also, and be it enacted by the authoritie aforefaid, that this act, or any thing therein containd, shall not in any wise extend or be prejudicall to any person or persons for any offence or offences committed or done, or hereafter to be committed or done, contrary to the tenour and effect of any act or statute now revived by this act, before the end of thirty daies next after the end of this session of this present Parliament; any thing in this act contained, or any other matter or clause to the contrary notwithstanding. And if it shall happen that any peere of this realm shall fortune to be indicted of and for any offence that is revived or made premunire or treason by this act, that then the same peere or peeres so being endicted, shall be put to answer to every such endictment before such peere of this realm, of English blood, as by the lord deputy, or governour or governours of this realm shall bee by commision appointed under the broad seal, and to have his and their tryall by his and their peeres, and to receive and have such like judgment upon the same triall of his or their peeres, or making open confession of the same offence or offences, as in other cases of treason or premunire hath been used.

Not to prejudice persons for offences committed against statutes revived by this act, before the end of 30 days after this session.

Peers indicted, to be tried by peers, as in other cases of treason and præmunire,

XVI. Provided alwayes, and be it enacted as is aforefaid, that no manner of order, act, or determination for any matter of religion or cause ecclesiasticall, had or made by the authoritie of this present Parliament, shall bee accepted, deemed, interpreted or adjudged at any time hereafter to bee any error, heresie, schisme or schismaticall opinion; any order, decree, sentence, constitution or law whatsoever the same bee to the contrary notwithstanding.

No order by this Parliament for matter of religion, shall be deemed error, heresy, or schism.

XVII. Provided alwayes, and be it enacted by the authoritie aforefaid, That such person or persons to whom your Highnesse, your heires or successours, shall hereafter by letters patents under the great seal of England, or of this realm, or the lord deputie, or other governour or governours of this realm, for the time being, by letters patents to be made by his or their warrant under the great seale of this realm, give authority to have or execute any jurisdiction, power or authoritie spirituall, or to visite, reform, order or correct, any errors, heresies, schismes, abuses or enormities, by vertue of this

Commissioners to execute spiritual jurisdiction, shall not adjudge any thing heresy, but what so judged by the canonical scriptures, or the first four general councils, or any other general council, or by Parliament.

A. D. 1560. act, shall not in any wise have authority or power, or order, determine, or adjudge any matter or cause to be heresie, but onely such as heretofore hath beene determined, ordered, or adjudged to bee heresie, by the authoritie of the canonicall scriptures, or by the first four generall counsailes, or any of them, or by any other generall counsaile, wherein the same was declared heresie, by the expresse and plain words of the said canonicall scriptures, or such as hereafter shall bee ordered, judged or determined to bee heresie by the high court of Parliament of this realm; any thing in this act conteyned to the contrarie notwithstanding.

Two witnesses face to face necessary upon any offence within this act.

XVIII. And bee it further enacted by authoritie aforesaid, that no person or persons shall bee hereafter endicted or arraigned for any the offences made, ordeyned, revived and adjudged by this act, unlesse there be two sufficient witnesses or more to testifie and declare the said offences, whereof hee should bee indicted or arraigned, and that the said witnesses, or so many of them, as shall bee living and within this realm at the time of the arrainement of such person so indicted, shall be brought forth in person, face to face before the partie so arraigned, and there shall testifie and declare what they can say against the partie so arraigned, if he require the same.

And upon giving relief, &c. to any offender, two witnesses necessary that the party had notice of the offence.

XIX. Provided and bee it further enacted by the authoritie aforesaid, that if any person or persons shall hereafter happen to give any reliefe, ayd or comfort, or in any wise bee ayding, helping or comforting to the person or persons of any that shall hereafter happen to bee an offendour in any matter or case of premunire or treason revived or made by this act, that then such reliefe, aid or comfort given shall not be judged or taken to be any offence, unlesse there be two sufficient witnesses at the least, that can and will openly testifie and declare, that the person or persons that so gave such reliefe, ayd or comfort, had notice and knowledge of such offence committed and done by the said offender, at the time of such reliefe, ayd or comfort, so to be given or ministered; any thing in this act conteyned, or any other matter or cause to the contrary in any wise notwithstanding.

C H A P. II.

An Act for the Uniformitie of Common Prayer and Service in the Church, and the Administration of the Sacraments.

1 Eliz. 2 Eng.

WHERE at the death of our late soverain lord King Edward the 6. there remained one uniforme order of common service, prayer, and of the administration of sacraments, rites and ceremonies in the church of England, which was set forth in one book, intituled, "the Book of Common Prayer, and administration of Sacraments,

“ments, and other rites and ceremonies in the church of England,” authorised by act of Parliament, holden in the said realm of England, in the fifth and sixth years of our said late sovereign lord King Edward the 6. intituled, *An act for the uniformitie of common prayer, and administration of the sacraments*; the which was repealed and taken away by act of Parliament in the said realm of England, in the first year of the reign of our late sovereign lady Queen Mary, to the great decay of the due honour of God, and discomfort to the professors of the truth of Christ’s religion. Be it therefore enacted by the authoritie of this present Parliament, That the said book with the order of service, and of the administration of sacraments, rites and ceremonies, with the alteration and additions therein added and appointed by this estatute, shall stand and bee from and after the feast of Pentecost, next ensuing, in full force and effect, according to the tenour and effect of this estatute.

II. And further be it enacted by the Queen’s Highnesse, with the assent of the lords and commons in this present Parliament assembled, and by the authority of the same, that all and singular ministers in any cathedrall or parish church, or other place within this realm of Ireland, shall from and after the feast of Saint John Baptist, then next ensuing, bee bounden to say and use the mattens, evensong, celebration of the Lord’s supper, and administration of each of the sacraments, and all their common and open prayer, in such order and form as is mentioned in the said book so authorised by Parliament, in the said fifth and sixth years of the raigne of King Edward the 6. with one alteration or addition of certain lessons to bee used in every Sunday in the year, and the forme of the letanie altered and corrected, and two sentences onely added in the delivery of the sacrament to the communicants, and none other or otherwise; and that if any manner of parson, vicar, or other whatsoever minister that ought or should sing or say common-prayer mentioned in the said book, or minister the sacraments from and after the feast of Saint John the Baptist aforesaid, refuse to use the said common-prayers, or to minister the sacraments in such cathedrall or parish church, or other places as he should use to minister the same, in such order and form as they be mentioned and set forth in the said book, or shall wilfully or obstinately (standing in the same) use any other rite, ceremony, order, form or manner of celebrating of the Lord’s supper openly or privily, or mattens, evensong, administration of the sacraments, or other open prayers is mentioned and set forth in the said book. (Open prayer in and throughout this act, is meant that prayer which is for other to come unto, or hear, either in common churches or privy chappels, or oratories, commonly called the service of the church,) or shall preach, declare or speak any thing in the derogation or depraving of the said book, or any thing therein conteyned, or of any part thereof, and shall be thereof lawfully convicted according to the lawes of this realm, by verdict of twelve men, or by his owne confession

A. D.
1560.
Chap. 2.
St. 5 & 6
E. 6. 1. Eng.
for uniformity of the common prayer, being repealed by Stat.
1 Mary, 2 Sess.
2. Eng.
The book of common prayer, with the order of service, sacraments, &c. and the alterations and additions by this statute shall be in force.
And used by all ministers.

Alterations of the book set forth.
Lessons on Sunday.
Form of the litany.
Addition of 2 sentences in delivery of the sacrament.
Penalty on ministers refusing to use said form,

or using any other.

Preaching or speaking in derogation of said book.

A. D. 1560. Chap. 2. fession, or by the notorious evidence of the fact, shall lose and forfeit to the Queene's Highnesse, her heires and successors, for his first offence, the profit of all his spirituall benefices or promotions coming or arising in one whole year next after his conviction, and also the person so convicted shall for the same offence suffer imprisonment by the space of fixe monthes without bayl or mainprise: and if any such person once convicted of any offence concerning the premisses, shall after his first conviction eftsoons offend and be thereof in forme aforesaid lawfully convicted, that then the same person shall for his second offence suffer imprisonment by the space of one whole year, and after shall therefore be deprived (*ipso facto*) of all his spirituall promotions; and that it shall be lawfull to all patrons or donors of all and singular the same spirituall promotions, or any of them, to present or collate unto the same, as though the person or persons so offending were dead; and that if any such person or persons after he shall be twise convicted in the forme aforesaid, shall offend against any of the premisses the third time, and shall be thereof in forme aforesaid lawfully convicted, that then the person so offending and convicted the third time, shall be deprived (*ipso facto*) of all his spirituall promotions, and also shall suffer imprisonment during his life: and if the person that shall offend and be convicted in forme aforesaid, concerning any of the premisses, shall not be beneficed, nor have any spirituall promotion, that the same person so offending and convicted, shall for the first offence suffer imprisonment during one whole year next after his said conviction, without bayle or mainprise: and if any such person not having any spirituall promotion, after his first conviction shall eftsoons offend in any thing concerning the premisses, and shall in forme aforesaid be thereof lawfully convicted, that then the same person shall for his second offence suffer imprisonment during his life.

And convicted thereof by verdict, confession, or notorious evidence of the fact.

For first offence, forfeiture of the profits of his benefice for 1 year, and 6 months imprisonment.

Second offence, imprisonment 1 year,

And deprivation, and patron may present as if offender dead.

Third offence, deprivation and imprisonment during life.

If not beneficed, for 1st offence 1 year's imprisonment: for the second, during life.

For depraving or despising said book,

or causing other prayer to be said or sung.

or interrupting the minister.

III. And it is ordeyned and enacted by the authority abovesaid, That if any person or persons whatsoever, after the said feast of Saint John Baptist, shall in any enterludes, playes, songs, rimes, or by other open words, declare or speake any thing in derogation, depraving or despising of the same book, or of any thing therein conteyned, or any part thereof, or shall by open fact, deed, or by open threatenings compell or cause, or otherwise procure or maintaine any person, vicar or other minister, in any cathedrall or parish church, or in chappell, or in any other place, to sing or say any common and open prayer, or to minister any sacrament otherwise, or in any other maner and forme then is mentioned in the said book, or that by any of the said meanes shall unlawfully interrupt, or let any person, vicar, or other minister in any cathedrall or paroch church, chappell, or any other place to sing or say common and open prayer, or to minister the sacraments or any of them, in such maner and forme as is mentioned in the said book, that then every such person being thereof lawfully convicted in forme abovesaid, shall forfeit to the Queen our
soveraigne

soveraign lady, her heyres and succeffors, for the first offence an hundred markes; and if any person or persons, being once convict of any such offence, eftsoones offend against any of the last recited offences, and shall in forme aforesaid be thereof lawfully convict, that then the same person so offending and convict, shall for the second offence forfeit to the Queen our soveraign lady, her heires and succeffours, four hundred markes; and if any person, after he in forme aforesaid shall have been twise convict of any offence concerning any of the last recited offences, shall offend the third time, and be thereof in forme aforesaid lawfully convict, that then every person, so offending and convict, shall for his third offence forfeit to our soveraign lady the Queen all his goods and chattles, and shall suffer imprisonment during his life. And if any person or persons, that for his first offence concerning the premisses shall be convict in forme aforesaid, doe not pay the summe to be payed by vertue of his conviction, in such manner and forme as the same ought to be paid, within sixe weekes next after his conviction, that then every person, so convict and so not paying the same, shall for the same first offence, insteade of the said sum, suffer imprisonment by the space of six moneths without baile or maineprise: and if any person or persons, that for his second offence concerning the premisses shall be convict in forme aforesaid, do not pay the said summe to be payed by vertue of his conviction and this estatute, in such manner and forme as the same ought to be payed, within six weekes next after his said second conviction, that then every person, so convicted and not so paying the same, shall for the same second offence in the steade of the said sum, suffer imprisonment during twelve moneths without bayl or maineprise; and that from and after the sayd feast of Saint John Baptist all and every person and persons inhabiting within this realm shall diligently and faithfullly, having no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their paroch church or chapel accustomed, or upon reasonable let thereof to some usuall place, where common prayer and such service of God shall be used in such time of let, upon every Sunday and other dayes ordeyned and used to be kept as holy daies, and then and there to abide orderly and soberly during the time of the common prayer, preachings, or other service of God, there to be used and ministered, upon pain of punishment by the censures of the church, and also upon pain that every person so offending shall forfeit for every such offence twelve pence to be levied by the church-wardens of the parish where such offence shall bee done, to the use of the poore of the same paroch, of the goods, lands, and tenements of such offendour by way of distresse; and for the due execution thereof the Queene's most excellent Majestie, the lords temporall, and all the commons in this present Parliament assembled, doe in God's name earnestly require and charge all archbishops, bishops, and other ordinaries, that they shall endeavour themselves to the uttermost of their knowledges, that the due

A. D.
1560.
Chap. 2.

first offence,
after conviction,
100
marks;
2d offence,
400 marks.

Third offence, forfeiture of goods and chattels and imprisonment for life.

If said sum for first offence not paid in six weekes, instead thereof imprisonment for 6 months: for 2d offence, if not paid, 12 months.

All persons not having reasonable excuse, shall resort to their parish church, on holy-days.

On pain of censures of church and 12d. levied by the church-wardens, to use of the poor, by way of distresse.

A. D. 1560. Chap. 2. and true execution hereof may be had throughout their diocesses and charges, as they will aunswere before God for such evils and plagues, wherewith Almighty God may justly punish his people for neglecting this good and wholesome law.

Ordinaries required and charged to put this act in execution.

And have power to punish by censures of the church.

Justices of peace, &c. may hear and determine said offences, and make process for execution.

The bishop may join with said justices in the inquiry at the open sessions within his diocess.

Books provided at cost of the parishioners.

Indictment at the next general assizes.

IV. And for their authoritie in this behalfe be it further enacted by the authoritie aforesaid, that all and singular the same archbishops, bishops, and all other their officers, exercising ecclesiastical jurisdiction as well in place exempt as not exempt within their diocesses, shall have full power and authoritie by this act to reforme, correct, and punish by censures of the church all and singular persons, which shall offend within anie their jurisdictions or diocesses after the said feast of Saint John Baptist against this act and estatute; any other law, estatute, priviledge, libertie, or provision heretofore made, had, or suffered, to the contrarie notwithstanding.

V. And it is ordeyned, and enacted by the authoritie aforesaid, That all and every justices of the peace, goal deliverie, of oyer and determiner, or justices of assise, shall have full power and authoritie in every of their open and generall sessions to enquire, heare, and determine all and all manner of offences, that shall be committed or done contrarie to any article conteyned in this present act, within the limits of the commission to them directed, and to make processe for the execution of the same, as they may doe against any person being indicted before them of trespassse, or lawfully convicted thereof.

VI. Provided alwayes, and be it enacted by the authoritie afore- said, That all and every archbishop and bishop shall and may at all time and times at his libertie and pleasure joyne and associate him- selfe by vertue of this act to the said justices of the peace, goale deliverie, of oyer and determiner, or to the said justices of assise, at every of the said open and generall sessions to be holden in any place within his diocesse for and to the enquirie, hearing, and determining of the offences aforesaid.

VII. Provided also, and be it enacted by the authority aforeaid, That the books concerning the said services shall at the costes and charges of the parocheners of every paroch and cathedrall church be attained and gotten before the said feast of Saint John the Baptist; and that all such paroches and cathedrall churches, or other places where the said books shall be attained and gotten before the said feast of Saint John Baptist aforeaid, shall within three weeks next after the said books so attained and gotten use the said service, and put the same in ure according to this act.

VIII. And be it further enacted by the authority aforeaid, That no person or persons shall be at any time hereafter impeached or otherwise molested of or for any of the offences above mentioned, here- after to be committed or done contrarie to this act, unlesse hee or they so offending be thereof indicted at the next generall session to be holden before any such justices of the peace, goale deliverie, of oyer

and

and determiner, or justices of assise next after any offence committed or done contrarie to the tenour of this act.

IX. Provided always, and be it ordeyned and enacted by the authority aforesaid, That all and singular lords of the Parliament, for the third offence above mentioned, shall be tryed by their peers, before such peer of this realm of English blood, as by the lord deputy, or other governour or governours of this realm, for the time being, shall be by commission appointed under the broad seal.

X. Provided also, and be it ordeyned and enacted by the authoritie aforesaid, that the mayor of Dublin, and all other mayors, baylives, and other head officers of all and singular cities, boroughes, and townes corporate within this realm, to the which justices of peace, or of gaole deliverie, or assise, do not commonly repayre, shall have full power and authoritie by vertue of this act, to enquire, heare and determine the offences abovesaid, and everie of them, yearly within fifteen dayes after the feast of Easter and faint Michael the archangel, in like manner and forme as justices of the peace, gaole delivery, assise, and oyer and terminer may doe.

XI. Provided alwayes, and be it ordeyned and enacted by the authoritie aforesaid, that all and singular archbishops and bishops, and every of their chauncellours, commissaries, archdeacons, and other ordinaries, having any peculiar ecclesiasticall jurisdiction, shall have full power and authoritie by vertue of this act, as well to enquire in their visitation, synodes, and elsewhere within their jurisdictions, at any other time and place, and to take accusations and informations of all and every the things abovesaid, done, committed or perpetrated within the limittes of their jurisdictions and authoritie, and to punish the same by admonition, excommunication, sequestration, or deprivation, and other censures and processe, in like forme as heretofore hath been used in like cases by the Queen's ecclesiasticall lawes.

XII. Provided alwayes, and be it enacted, that whatsoever person offending in the premisses, shall for the offence first receive punishment of the ordinarie, having a testimonie thereof under the said ordinaries seales, shall not for the same offence eftsoones be convicted before the justices, and likewise, receiving for the said first offence, punishment by the justices, he shall not for the same offence eftsoones receive punishment of the ordinarie: any thing conteyned in this act to the contrarie notwithstanding.

XIII. Provided alwayes, and be it enacted, that such ornaments of the Church, and of the ministers thereof, shall be retained and be in use, as was in the church of England by the authority of Parliament, in the second year of the raigne of King Edward the sixt, untill other order shall be therein taken by the authoritie of the Queen's Majestie, with the advise of her commissioners ap-

A. D.

1560.

Chap. 2.

Lords for said third offence, to be tried by their peers.

Head officers of corporations, to which said justices do not commonly repair, may in like manner inquire of said offences yearly in 15 days after Easter and Michaelmas.

Ordinaries, &c. may inquire and punish as heretofore by the ecclesiasticall laws.

No one to be punished twice, viz. by the justices and ordinary, for same offence.

Such ornaments of the church and ministers to be retained, as in 2 E. 6. until other order by the Queen, &c. who may publish further ceremonies or rites.

A. D.
1560.
Chap. 2.

pointed and authorised under the great seal of England, or of this realm, for causes ecclesiasticall, or by the authoritie of the lord deputy, or other governour or governours of this realm for the time being, with the advice of the counsaile of this realm under the great seal of this realm, and also that if there shall happen any contempt or irreverence to be used in the ceremonies or rites of the church, by the misusing of the orders appointed in this booke, the Queen's Majestie may by the like advise of the said commissioners, or the lord deputie, or other governour or governours of this realm for the time being, may with the advise of the counsaile of this realme; ordeine and publish such further ceremonies or rites, as may be most for the advancement of God's glorie, the edifying of this church, and the due reverence of Christ's holy mysteries and sacraments.

All laws
and ordinan-
ces for other
service, void.
5 Anne 5.
Eng.

XIV. And be it further enacted by the authoritie aforesaid, That all lawes, statutes, and ordinances wherein or whereby any other service, administration of sacraments, or common prayer is limited, established, or set forth to be used within this realm, shall from henceforth be utterly voyd and of none effect.

Where the
minister can-
not speak
English, he
may use the
Latin tongue
in the service,
in such form
as in said
book, and ac-
cording to the
tenor of this
act, and no
otherwise.

XV. And forasmuch as in most places of this realm, there cannot be found English ministers to serve in the churches or places appointed for common-prayer, or to minister the sacraments to the people, and that if some good meane were provided, that they might use the prayer, service, and administration of sacraments set out and established by this act, in such language as they mought best understand, the due honour of God should be thereby much advanced; and for that also, that the same may not be in their native language, as well for difficultie to get it printed, as that few in the whole realm can read the Irish letters. Wee doe therefore most humbly beseech your Majestie that with your Highnesse favour and royall assent, it may be enacted, ordeyned, established and provided by the authority of this present Parliament, That in every such church or place, where the common minister or priest hath not the use or knowledge of the English tongue, it shall be lawfull for the same common minister or priest to say and use the mattens, even song, celebration of the Lord's supper, and administration of each of the sacraments, and all their common and open prayer in the Latin tongue, in such order and forme as they be mentioned and set forth in the said book established by this act, and according to the tenour of this act, and none otherwise, nor in other manner: any thing before expressed and conteyned in this act to the contrarie notwithstanding.

C H A P. III.

An Act for the Restitution of the first Fruits and xx. Part, and Rents reserved nomine x. or xx. and of Parsonages impropriate to the imperiall Crown of this Realm.

IN their most humble wise beseechen your most excellent Majesty, your faithfull and humble subjects the lords spirituall and temporall, and the commons of this your realm in this present Parliament assembled, That where in the Parliament of your most noble father of famous memorie, King Henry the eighth, holden at Dublin the first day of May, in the xxviii. year of his prosperous raig, and after proroged, adjourned, and continued as by the rolle of the same Parliament more at large appeareth, it was enacted, ordeyned and established by the authoritie of the same Parliament, amongst other things, That his Highnesse, his heyres and successours, Kings of the realm of England, should have and enjoy from time to time to endure for ever, of every such person and persons, which at any time after the first day of that Parliament should be nominated, elected, perfected, presented, collated, or by any other meanes appointed to have any archbishoprick, bishoprick, archdeaconry, deanry, prebend, parsonage, or vicarage, within the land and dominion of Ireland, of what name, nature, or qualitie soever they be, or to whose foundation, patronage or gift soever they belong, the annat, commonly called within this land, the ane first fruits, revenues and profits for one year, of every such archbishoprick, bishoprick, archdeaconry, deanry, prebend, parsonage and vicarage afore named, whereunto any such person or persons should at any time or times after the said first day of that Parliament be nominated, elected, perfected, presented, collated, or by any other meanes appointed, and that every such person and persons before any actuall or real possession, or meddling with the profites of any such archbishopricke, bishopricke, deanry, prebend, parsonage, or vicarage, should satisfie, content, and pay, compound or agree to pay to the king's use, at reasonable dayes upon good suerties, the said annat or ane, the first fruits and profites for one year: and where also in the same Parliament it was enacted and established, that the King's Majesty, his heyres and successours, Kings of England, should have and enjoy from time to time, to endure for ever, of every such person and persons which, at any time after the first day of the same Parliament, should be nominated, elected, perfected, presented, collated, or by any other meanes appointed to any abbey, priorie, colledge, hospitall, the priorie or hospitall of Saint John the baptist of Jerusalem in Ireland, or any commaundrie of the same religion within the land and dominion of Ireland, of what nature or qualitie soever they be, or to whose foundation, patronage or

¹ Eliz. 4.
^{Eng.}
² G. 1. 15.
¹⁰ G. 1. 7.

Recital of
²⁸ H. 8. 8.
for first fruits.

²⁸ H. 8. 26.

A. D. 1560. gift soever they belong, the annate, commonly called within this land the ane, first fruits, that is to say, the revenues and profits for one whole yeare of every such abbey, prior, colledge, hospitall, the priorie or hospitall of Saint John baptist of Jerusalem in Ireland, and of every the commaundries aforenamed, whereunto such person or persons should, at any time or times after the said first day of that Parliament, be nominated, elected, perfected, presented, collated, or by any other meanes appointed, and that every such person and persons, before any actuall or real possession, or meddling with the profits of any such abbey, priorie, colledge, hospitall, the priorie or hospitall of Saint John the baptist of Jerusalem, or any commaundry, should satisfie, content, and pay, compound or agree to pay to the King's use, at reasonable dayes upon good sureties, the said annat or ane, first fruits and profites for one whole year. And where also in the same Parliament it was enacted and established, that the King's Majestie, his heyres and successours, Kings of the realm of England, for more augmentation and maintenance of the royall estate of his imperiall crown, should yearely have, take, enjoy and receive, united and knit to his imperiall crown for ever, one yearely rent or pension, amounting to the value of the twentieth part of all the revenues, rents, fermes, tithes, emoluments, offerings, and of all other profites, as well called spirituall as temporall, then appertaining or belonging, or that thereafter should belong to any archbishopricke, bishoprick, abbey, monasterie, priorie, archdeaconry, deanry, hospitall, commaundry, colledge, house collegiate, prebend, cathedrall church, collegiate church, conventuall church, parsonage, vicarage, chauntry, or free chappell, or other benefice or promotion spiritual, of what name, nature or quality soever they bee, within any diocesse of the said land, the said pension or annuall rent to be yearely payd for ever to the King's Majestie, his heyres and successours, Kings of England, at the feast of the nativite of our Lord God, and the first payment thereof to begin at the feast of the nativite of our Lord God, a thousand five hundred thirty and seven, and to be paid yearely by such as should be appointed to have the collection thereof by the said act, in such manner and forme as should after be limited by that act, by reason of which premisses the said perpetual revenues of the first fruit and twentieth part graunted by the said acts, in augmentation and maintenance of the crown of this realm, were well and justly answered and payed unto the late Queen Mary, your Highnesse sister's use and behoofe, in her court of Exchequer within this realm, like as the same had been unto the two noble Kings, her said father and her brother, by the space of twentie yeares, without griefe or contradiction of the prelates and cleargie of this realm, to the great ayde, reliefe, and supportation of the inestimable charges of the crowne of this realm, which daily, sithence the time of the making of the said acts, have encreased and growen more

28 H. 8. 14
of the twentieth part.

Which were
justly and
without contradiction
of the clergy
paid to the
crown, to the
great relief
and support
thereof, for
20 years.

more and more; which thing although the said late Queen mought and did manifestly feel and perceive to bee most true, yet she by procurement of King Philip, her late husband, upon zealous and inconvenient respects not sufficiently nor politiquely enough waying that matter, nor having due consideration and regard to the maintenance, upholding, and good continuance of the state of the imperiall crown of this realm in succession, which rather needed an augmentation then any diminution, willed in an act of Parliament to be made and provided in the third and fourth years of the reigns of the said King Philip and Her, That all payments of the said first fruits should from thenceforth cease, and bee cleerly extinct and determined for ever, and that as well all the said benefices and spirituall promotions, as the possessors, owners, and incumbents thereof, and their successors, should from and after the eighth day of August in the second and third yeares of the said late King and Queen, and so from thenceforth at all times for ever to be cleerly exonerate, acquitted, and discharged against the said late King Philip and Queen Mary, her heyres and successors, of and from the payment and payments of all and every the said first fruits, in as ample and large manner and forme as they were before the making of the said acts in the first and originall graunts thereof in the said eight and twentieth year of the raigne of the said late King your noble father, and as though the same had never been had ne made: and farther, that neither the said perpetuall pension and annuall rent or tenth mentioned and contayned in the said act, made in the said eight and twentieth year of the raign of the said noble King Henry the eight, nor also the severall rents and tenthes, reserved by and upon any letters patents of your said noble father sithence the said eighth and twentieth yeare of his raigne, and of your said deereft brother, and the said King Philip and Queen Mary, or either of them, for and in the name of a tenth, or any of them, from and after the first day of that Parliament should not bee payed or payable unto the said late King and Queen, her heyres or successors, but that as well all and singular the archbishoprickes, bishoprickes, and other benefices, dignities, deanes, and chapters, colledges, corporations, and spiritual promotions aforesaid, as all and every possessor, owner, proprietarie, and incumbent of the same, and their successors, and every of them, from and after the said first day of that Parliament, should bee cleerly exonerated, acquitted, and discharged of and for the payment of the said perpetuall pension, annuall rents, or tenths aforesaid, and of the said tenthes reserved upon the said letters pattents, and of every of them against them, and the heyres and successors of the same late Queen for ever; and furthermore that the said late King Philip and Queen Mary, her heyres and successors, from and after the first day of that Parliament should not receive, perceive, take and enjoy any the issues, revenues, profites, or commodities of any the rectories,

A. D.
1560.

Chap. 3.

Queen Mary's zealous, but not politick respects.

The crown requiring augmentation rather than diminution.

By Stat-
3 and 4 P.
and M. 10.
these Payments to
cease.

A. D. 1560. Chap. 3. parsonages, benefices, gleabe lands, tyethes, oblations, pensions, portions, and other profites and emoluments ecclesiasticall or spirituall, which the said late King and Queen then had and enjoyed by title of inheritance, in right of the said late Queen, or of any of them, or of the reversion or reversions of them, or of anie of them, but in and by the said act the same late King and Queen cleerely gave over, renounced, and relinquished, as well the said rectories, parsonages, benefices, gleabe lands, tyethes, oblations, pensions, portions, and other profites and emoluments, ecclesiasticall and spirituall aforesaid, and every of them, and the reversion and reversions of them and every of them, and all their right, title, use, interest, and demaund of, in, or to the same, from them and the heyres and successours of the same late Queen for ever, as also the said perpetuall pension, annuall rent and tenth, and also yearly rents reserved for and in the name of a tenth, upon the said severall letters patents, and all the right, title and interest, which they or either of them, or the heires or successours of the said late Queen, had or mought have had in or to the same; the same yearly pension, tenthes, yearly rents, parsonages, emoluments, and profites to be perceived, taken, received, converted, employed, used, and disposed by the late reverend father in God, Reginald Poole late cardinall and legate, and such other persons as hee should name and appoint, and such other as been specially limited in the said act, to and for certain uses, purposes, and intents mentioned in the same act, with divers provisions and savings in the same expressed and conteined, as by the same more at large appeareth: wee your said humble and obedient subjects, the lords spirituall and temporall and the commons in this your present Parliament assembled, calling to our remembrance the huge, innumerable and inestimable charges of the royall estate and imperiall crown of this realm, and how the same was left unto your Majestie at your first entry thereunto greatly diminished as well by reason of the said act, made in the said third and fourth yeares of the said King Philip and Queen Mary, as otherwise, doe conceive at the bottome of our hearts great sorrow and heavinesse, as subjects carefull for their naturall and liege Sovereigne ladie, upon whom dependeth the fuer-tie, worldly joy, and wealth of us all; and being no lesse affected towards your Majesties most royall person, and the preservation and maintenance of the same, and of the estate and succession of your Majesties said crown, then were the first graunters of the said first fruits and twentieth part toward your highnesse most noble father and his said royall estate at the time of their said graunts to him thereof made, doe accompt of verie right and good congruence no lesse then our most bounden dutie to move your Highnesse, and therewith most humbly to beseech the same, that the great disherison and decay, committed and done to the crown and estate royall of this your realm and the succession thereof by reason of

Considering
the innumera-
ble charges of
the crown,
and how
much the
royal estate
diminished.

For reme-
dy thereof.
Enacting
part.

of the said act made in the said third and fourth years of the reigns of the said late King Philip and Queen Mary, at this Parliament be reformed and avoided, and that with your Highnesse favour and royall estate it may bee enacted, ordeyned, established, and provided by authoritie of this Parliament in manner and forme hereafter insuing, that is to say, that the said act made in the third and fourth yeares of the reign of the said late King Philip and Queen Mary, and all articles, clauses and sentences, therein conteyned, shall be from and after the first day of this present Parliament utterly and clearly repealed, made voyde, and of no force ne effect; and all liberties and authorities graunted, limitted, and appointed, in and by the said act to the said late cardinall Poole, or made or derived by force, strength, or colour of the same act by or from the said late cardinall to any other person or persons, bodies politique or corporate, to cease and be utterly void and determined; and that the said first fruits and all payments thereof from and after the said first day of this Parliament shall be revived, and have their being and continuance again, and bee deemed and adjudged to all intents, constructions, and purposes in the Queene's highnesse most royall person, her heyres and succeffours, and united and annexed to the imperiall crown of this realm of and in such like and the same estate, interest, title, qualitie, fort, degree, and condition, and in as ample and beneficiall manner and form, as the same was or were in the person or possessions of the said late Queen Mary, and before the said eighth day of August, the said act of extinguishment mentioned and expressed; the same act of extinguishment, or any letters pattents, or any other matter or thing, had, done, or suffered by the said late King and Queen, or any of them, to the contrary thereof in any wise notwithstanding: and also that as well so much of the said perpetuall and annuall twentieth part and pension graunted by the said act, made in the said eight and twentieth yeare of the raigne of the said late King Henry the eighth, as also so much of the said yearly rents, reserved upon the said severall letters patents *nominæ decimæ* or *vicesimæ partis*, and also so manie of the said rectories, parsonages, and benefices impropriate, gleabe lands, tyethes, oblations, pensions, portions, and other profites and emoluments ecclesiasticall and spirituall aforesaid, and the reversion and reversions thereof, and all rents, emoluments, conditions, and profites incident to the same, as were in the hands and possession of the said late Queen Mary at and before the said first day of the said Parliament holden in the said third and fourth years, shall from the twentieth day of November in the first year of the reign of our said soveraign lady Queen Elizabeth be vested, adjudged and deemed actually and really in the seisin and possession of her Majesty, her heyres and succeffours, to all intents, constructions, and purposes, of and in such like and the same estate, interest, order, degree, quality, fort, and condition, and as fully, wholly, largely, and

A. D.
1560.
Chap. 3.
Repeal of St.
3 & 4 P.
& M.

Payment of
first fruits re-
vived.

The 20th
part, &c. re-
vived, and an-
nexed to the
crown, in as
ample man-
ner as before.

A. D.
1560.
Chap. 3.

The said
Statutes 28
H. 8. revived.

The Queen
to have ad-
vowson of
vicarages,
belonging to
rectories,
&c.

Saving the
rights of
others.

beneficially, as the same were in the seisin and possession of the said late Queen Mary at and before the said first day of the said Parliament in the said third and fourth years; and that as well the said first fruits and twentieth part, as also the said annuall rents reserved *nominæ decime* or *vicefimæ*, and the said rectories, parsonages, benefices, gleabe lands, tyeths, oblations, pensions, portions, and other profits and emoluments ecclesiasticall and spirituall aforesaid, and every of them, and the reversion and reversions of them, and of all rents and profits unto the same or any of them incident or belonging, shall be ordered and answerable in and at the Queen's Highnesse court of the Exchequer in every degree, sort, and condition, as they were at and before the said first day of the said Parliament in the third and fourth years aforesaid; the said act made in the said third and fourth years, or any other matter or thing, to the contrarie thereof notwithstanding; and that all and every the said actes and estatutes made in the said eight and twentieth year of the said late King Henry the eight, and all articles, clauses, and sentences in them and every of them conteyned shall bee, remaine, and continue in their full and perfite strength and forces, and be observed and put in due execution according to the tenour and purports of the same, and of every of them; and that the Queen's Majestie, her heyres and succeffours, by authoritie of this present Parliament shall from the said first day of this present Parliament have, hold, possesse, and enjoy for ever the advowsons, gifts, and patronages, of all vicarages belonging or incident to any of the said rectories and parsonages impropriate in the same sort, qualitie, condition, and degree to all intents and purports, as the same were in the person and possession of the late Queen Mary at and before the said first day of the said Parliament in the said third and fourth years; any thing or act done by the same late cardinall, or any graunt or graunts by letters patents made by the said late Queen Mary of the said advowsons and patronages, or any of them, to any ecclesiasticall or spirituall person or persons, or any spirituall corporation, to the contrary in any wise notwithstanding; saving to all and every person and persons, bodies politique and corporate, and their heyres, executors, succeffours, and assignes, and every of them, other then such persons as be mentioned and named in any letters patents, made by the said Queen Mary at any time sithence the said first day of the said Parliament in the said third and fourth years, or clayming onely by or under the authoritie and strength of the same act or letters patents, or any of them, all such right, title, interest, estate, offices, leases, graunts, annuities, pensions, fees, corrodies, rentes, and other yearly profits and commodities, as they or any of them ought or should have had, perceived, or enjoyed of, in, or by reason of any the parsonages, rectories, or of any other the premisses, in case the said former act now repealed and

this

this present act of repeale had never beene had ne made ; any thing in the same acts, or any of them conteyned or founding to the contrarie thereof, in any wise to the contrary notwithstanding.

A. D.
1560.
Chap. 3.

II. And bee it further enacted by the authoritie aforesaid, That from and after the said twentieth day of November, and so from thenceforth from time to time, the said pensions, annuities, rents, corrodies, fees, and other yearly payments, shall be payed and payable onely by our said Sovereign Lady, her heyres and successours, at the receipt of the Exchequer, or in such other places as the Queen's Majestie, her heyres and successours, shall appoynt, to all and every person or persons, that ought to have and enjoy the same, in such sort, order, and form, as the same should or ought to have been payed and payable, in case the said act now repealed had never been had ne made, any thing therein or else in this act conteyned to the contrarie thereof in any wise notwithstanding.

Pensions,
&c. how to
be paid.

III. And be it further enacted by the authority aforesaid, That all and singular incumbents, proprietaries, tenaunts, fermours, lessees, and occupiers of the premisses, or any part thereof, their heyres, executors, and assignes, which the sayd first day of this present Parliament were behinde or in any arrerages of and with the rents, fermes, tenths, twentieth part, or other revenues, profits, or duties by them or any of them due and payable for or by reason of the premisses, or any of them, shall and may by the authoritie of this act be severally chargeable, accomptable, and answerable to the Queen's Majestie, her heyres and successours, in and at the said court of the Exchequer of and for the same arrerages and duties, as other the accomptants been and shall be in the same court ; any thing in the said act, now repealed in this act, or any other matter or cause to the contrarie thereof, in any wise notwithstanding.

Arrear of
rents, &c.
chargeable to
the Queen.

IV. And yet neverthelesse, the Queen's most excellent Majestie at the humble request of her said subjects of her abundant grace and bountifulnesse is pleased and contented, that it bee enacted by the authority aforesaid, That all and singular vicarages, not exceeding the yearly value of fixe pounds thirteen shillings, four pence, after the rate and value upon the records and bookes of the rates and values of the first fruites and twentie part, now remayning in the Exchequer, or that shall hereafter come and remaine in the same court, and also all and singular parsonages, not exceeding the yearly value of five pounds after the like rate and valuation, and the incumbents thereof, and every of them, their executors, administrators, successours, and suerties, and every of them, from the said twentieth day of November shall be free and cleerely discharged and acquitted for ever against the said Queen's Majestie, her heyres and successours, of and from the said first fruits ; any thing in these actes of the first fruits, made in the said eight and twentieth year of the raigne of the sayd late King Henry the eight, or in this act

Vicarages
not exceeding
6l. 13s. 4d.
and parson-
ages 5l. after
the books of
rates in the
Exchequer,
discharged
from first
fruits.

A. D. of repeale, or any other act or acts before recited, to the contrarie thereof in any wise notwithstanding.

1560.
Chap. 3.

V. Provided always, and be it enacted by the authoritie afore-
Incumbent said, That if anie incumbent of anie such promotion spirituall, as is
living half a
year after last
avoidance, so
as he hath, or
without fraud
might have
received the
profits, and
before end of
the other half
year dying,
or lawfully
evicted,
chargeable
only with the
fourth part
of first fruits.

faid, That if anie incumbent of anie such promotion spirituall, as is
aforesaid, charged or chargeable to the payment of the said first
fruits, happen to live to the end of one halfe year next after the
last avoydance of the same promotion spirituall, so as hee hath re-
ceived or without fraud or covin might lawfully have received
and enjoyed the rents and profites of that halfe year, and before the
end of the other halfe year then next following shall happen to
die, or to be lawfully evicted, removed, or put from the promotion
spirituall by judgment in any action at the common law, without
fraud or covin, that then every such incumbent, his heyres, exe-
cutors, administratours, and suerties, shall be charged and char-
geable but onely with the fourth part of the first fruits due, to bee
payed for such his promotion, and with no more of the said first
fruits; any thing in this act conteyned, or any bond or writing to
bee made for the payment of the said first fruits, or any other mat-
ter or cause to the contrarie notwithstanding: and if it shall happen

If he lives
one year,
chargeable
with a moie-
ty.

anie such incumbent to live by the space of one whole year next
after the last avoydaunce of the same promotion spirituall, and after
before the end of one halfe year then next following shall for-
tune to die, or to be lawfully evicted, removed, or put from the
said promotion spirituall by judgment in any action at the common
law without fraud or covin, that then everie such incumbent, his
heyres, executors, administrators, and suerties, shall be charged and
chargeable but onely with the moietie and one halfe of the first fruits
due to be payed for such his promotion spirituall, and with no
more of the same first fruits; any thing in this act conteyned, or
any bond or writing obligatorie to bee made for the payment of the
same first fruits, or any other matter or cause to the contrarie, not-
withstanding. And if it shall happen any such incumbent to live

Living a
year and an
half, chargea-
ble with
three parts.

to the end of one whole year and half next after the last avoi-
dance of such promotion spirituall, and after, and before the end of
fixe moneths then next following, shall fortune to die, or to be law-
fully evicted, removed, or put from the said promotion spirituall
by judgment in any action at the common law without fraud or
covin, that then every such incumbent, his heyres, executors, ad-
ministrators, and suerties, shall be charged and chargeable but onely
with three parts of the first fruits of the same promotion spirituall,
in foure parts to be devided, and with no more; any thing in this
act conteyned, or any bond or writing obligatorie had or made for
the payment of the first fruits, or any other matter or cause to the
contrarie notwithstanding. And if it shall happen any such incum-

Living two
years charge-
able with the
whole.

bent to live to the end of two whole years next after the last avoy-
dance of the same promotion spirituall, and not to be lawfully
evicted, removed, or put from the said promotion spirituall, as is
aforesaid,

aforesaid, then every such incumbent, his heyres, executors, administrators and suerties, shall content and pay to our said sovereign ladie the Queen, her heyres and successours, the whole first fruits due, to be payed for the same promotion spirituall, according to the statutes aforesaid.

A. D.
1560.
Chap. 3.

VI. Provided also, and be it enacted, That all leases made before the twentieth day of December in the first year of your Majesties reign for one and twentie years, or three lives at the most, by anie person or persons, bodies politique or corporate, being lawfully seised of or in any of the said parsonages impropriate, or of, or in any other the premises, wonte commonly to be set or let to ferme, then being out of lease, or whereof there was not at the time of the making of the said lease or leases any former lease to endure above one yeare then to come at the most, and upon which new lease or leases the old yearly rent accustomed wont to be payed for the same the space of twentie years last before the making of such lease or leases, or more yearly rent is reserved and payable during the said term, and all other lawfull graunts by them or any of them heretofore made of any office or offices, in old time wont commonly to be graunted, shall be as good and effectual in the law, as though this act or any thing therein contayned had not been had or made.

Leases before 20 December 1 Eliz. for 21 years or 3 lives, of the premises, commonly let to farm, then out of lease, or only one year to come, and upon which the old rent for 20 years last reserved, and also grants of offices wont to be granted, shall be valid.

VII. Provided alwayes, and be it further enacted by the authority of this Parliament, That no person or persons presented, instituted, or inducted, at any time sithence the first day of this present Parliament, or that shall bee presented, instituted, or inducted on this side the feast of the annunciation of our blessed lady Saint Mary next coming, to any the said spirituall or ecclesiasticall promotions, chargeable to or with the payment of the first fruits, or one years profites of such promotion, shall incurre any penaltie or forfeiture by entring into any of the said spirituall or ecclesiastical promotions, or by taking the profites thereof for the non payment or not compounding of or for the first fruits thereof; so that hee, or any other for him, shall or doe compound for the same first fruits according to the true meaning of this statute before the said feast of the annunciation of our blessed lady Saint Mary; any thing in this act contayned to the contrarie notwithstanding.

Persons presented, &c. since the first day of this Parliament, or on this side the feast of annunciation next, not to incur penalty or forfeiture, so that they compound before the annunciation.

VIII. Provided also, that this act, or any thing therein contayned, shall not in any wise extend to charge any hospitall founded and used, and the possessions thereof employed, to and for the relief of poore people, or any school or schooles, or the possessions or revenues of them, or any of them, with the payment of any twentieth part or first fruites; any thing in this act before mentioned to the contrarie in any wise notwithstanding.

Hospitals for the poor, and schools not to be charged with first fruits or 20th part.

A. D.

1560.

C H A P. IV.

An Act for the Conferring and Consecrating of Archbishops and Bishops within this Realme. Rot. Parl. cap. 4.

¹ E. 6. 2.
Eng.
Elections of
bishops by
deans and
chapters, be-
ing to the de-
lay, costs and
charges of the
persons.

And being
only shadows
of elections.

And dero-
gatory to
King's pre-
rogative.

No such
election to be
made or
Conge d'eslire
granted, but
the Queen,
or deputy,
&c. by war-
rant may by
letters patents
collate such
persons as the
Queen, &c.
shall think fit.

Upon which
the person
collated may
be consecrat-
ed, &c. as if
all said cere-
monies ob-
served.

If to a bi-
shoprick, sig-
nified to the
archbishop of
the province;
if the see void,
then to such
archbishop as
by the Queen
or deputy, in-
structed as a-
foresaid.

FORASMUCH as the elections of the archbishops and bishops by deanes and chapters within the Queen's Majesties realm of Ireland at this present time be as well to the long delay as to the great costes and charges of such persons, as the Queen's Majestie giveth any archbishopricke or bishopricke unto: and whereas the said elections be in veraie deed no elections, but onely by a writ of *conge d'eslier*, have colours, shadowes, or pretences of elections, serving nevertheless to no purpose, and seeming also derogatorie and prejudiciall to the Queen's prerogative royall, to whom onely appertaineth the collation and gift of all archbishopricks, and bishopricks and suffragan bishops within this her Highnesse realm: for a due reformation hereof be it therefore enacted by the Queen's highnesse with the assent of the lords spirituall and temporall and the commons in this present Parliament assembled, and by the authoritie of the same, That from henceforth no such *conge d'eslier* be graunted, nor election of any archbishop or bishop by the deane and chapter made, but that the Queen's Majestie, her heyres and successours, may by their letters patents under the great seale of England or of this realm, or the lord deputie, or other governour or governours of this realm for the time being, having instructions, letters missive, or other warrant signed by the Queen's Majestie, her heyres and successours, for the same purpose, may by letters patents to bee made by his or their warrant under the great seal of this realm at all times when any archbishoprick or bishoprick be void, conferre the same to any person, whom the Queen, her heyres or successours, shall think meete; the which collation so by letters patents made in manner aforesaid, and delivered to the person whom the Queen, her heyres, or successours, shall confer the same archbishoprick or bishoprick, or to his sufficient proctor and attorney, shall stand to all intents, constructions, and purposes, to as much and the same effect as though *conge d'eslier* had been given, the election duely made, and the same confirmed; and that upon that the said person, to whom the said archbishoprick, bishoprick, or suffraganship is so conferred, collated, or given, may bee consecrated, and sue his livery or *ouster lemaine*, and doe other things, as well as if all the said ceremonies and elections had been done and made.

II. And be it likewise enacted by the said authoritie, That everie such collation to be made in manner aforesaid, if it be to the office and dignitie of a bishop, shall be signified to the archbishop of the province, where the see of the same bishoprick is voyd; if the see of the said archbishoprick be then full, and not voyd; and if it be voyd, then to be signified to such archbishop within this realm

as shall please the Queen's Highnesse, her heyres or successours, or the lord deputie, or other governour or governours of this realm, for the time being, having instructions, letters missive, or warrant signed by the Queen's majestie, her heyres or successours, in manner aforesaid; and if any such collation shall happen to be made, to the dignitie of any archbishop, then the same shall be signified in manner and form aforesaid, to one such archbishop, and two such bishops, or else to foure such bishops in this realm, as shall be assigned by our said Sovereign Lady, her heyres and successours, or by the lord deputie or other governour or governours of this realm, for the time being, having instructions, letters missive, or other warrants, as is aforesaid.

A. D.
1560.
Chap. 4.

III. And be it enacted by the authoritie aforesaid, that whensoever any such collation shall be made by the Queen's Highnesse, her heyres or successours, or by the lord deputie or other governour or governours of this realm, for the time being, in manner aforesaid, by vertue and authoritie of this act, and according to the tenor of the same, that then every archbishop and bishop, to whom any such collation shall be signified, shall, with all speed and celeritie, invest and consecrate the person conferred aforesaid, to the office and dignitie that such person shall be so conferred unto, and give use to him, pall, and all other benedictions, ceremonies, and things requisite for the same, without suing, procuring, or obteyning hereafter any bulls, or other things, by or from any foreign authoritie or power, for any such office or dignitie, in any behalfe.

Which archbishop and bishop shall, with all speed, invest and consecrate the person conferred, give the pall, &c. without suing to foreign power.

IV. And be it further enacted by the authoritie aforesaid, that everie person and persons, being hereafter conferred, invested, and consecrated to the dignitie or office of anie archbishoprick, or bishop within this realm, according to the form, tenor, and effect of this present act, and suing their temporalities out of the Queen's hands, her heyres and successours, as hath been accustomed, and making such oath and fealtie onely to the Queen's Majestie, her heyres and successours, and to none other, as shall be limited and appointed for that purpose, shall and may from henceforth bee thronized, or installed, as the case shall require, and shall have and take their onely restitution out of the Queen's hands, and of all the possessions and profites, spirituall and temporall, belonging to the said archbishoprick or bishoprick, whereunto they shall bee so conferred, and shall bee obeyed in all manner of things, according to the name, title, degree and dignitie, that they shall bee so conferred unto, and doe and execute in every thing and things, touching the same, as any archbishop, or bishop of this realm, without offending of the prerogatives royal of this crowne, and the lawes and customes of this realm mought at any time heretofore doe.

Persons so conferred, and suing their temporalities, and making oath and fealty only to the Queen, shall be thronized and installed, and have their restitution out of the Queen's hands, and obeyed as archbishops, &c.

V. And be it further enacted by the authoritie aforesaid, that if any archbishop or bishop within this realm, after such collation shall be signified unto them, in maner and form before rehearsed,

Penalty of Præmunire, in the Statutes, 25 E. 3. & 16 R. 2. 5. upon refusing to

A. D.

1560.

invest and
consecrate
within 20
days after the
letters patent
come to their
hands, or
executing any
thing to con-
trary of this
act.

shall refuse, and doe not invest and consecrate with all due circumstance, as is aforesaid, every such person that shall be so conferred, and to them signified, as is above mentioned, within twenty dayes next after the Queen's letters patents, of such collation as shall come to their hands, or else, if any of them, or any other person or persons admit, maintaine, allow, obey, doe, or execut any censures, excommunications, interdictions, inhibitions, or any other proceffe or act, of what name, nature, or qualitie soever it be, to the contrarie or let of due execution of this act, that then every archbishop and bishop, and all other persons so offending, and doing contrarie to this act, or any part thereof, and their aydours, counsaylours and abettours, shall runne in the dangerous paines and penalties of the estatutes of provis and premunire, made within the realm of England, in the five and twentieth year of the reign of King Edward the third, and in the sixteenth year of King Richard the second.

C H A P. V.

An Act of Recognition of the Queene's Highnesse Title to the Imperial Crowne of this Realme.

1 Eliz. 3.
Eng. The recog-
nizing the
Queen's title
to the crown.
Queen Eliz.
is, and ought
to be by the
laws of God
and of this
realm, our
lawfull Queen.
All ho-
nours, &c.
vested in her,
and the heirs
of her body,
as in her pre-
decessors,
since the St.
35 H. 8. 1.
Eng. esta-
blishing the
succession.

AS there is nothing under God, most deare Sovereign Lady, wherein we your most humble, faithfull, and obedient subjects, the Lords spirituall and temporal, and commons in this present Parliament assembled, have, may, or ought to have more cause to rejoyce then in this onely, that it hath pleased God of his mercifull providence and goodnesse towards us, and this our realm, not onely to provide, but also to preserve and keep for us and our wealths, your royall Majestie, our most rightfull and lawfull Sovereign liege Lady and Queen, most happily to reign over us, for the which we doe give and yeeld unto him, from the bottomes of our hearts, our humble thanks, laud and prayse, even so there is nothing that we your said subjects, for our parts, can, may or ought, towards your Highnesse more firmly, entirely, and assuredly, in the puritie of our hearts think, or with our mouthes declare and confesse to be true, then that your Majestie, our said Sovereign Lady is, and in very deed, and of most meere right ought to be, by the laws of God, and the laws and estatutes of this realm, our most rightfull and lawfull Sovereign liege Lady and Queen, and that your Highnesse is rightly, lineally, and lawfully descended, and come of the blood royall of this realm, in and to whose princely person, and the heyres of your bodie lawfully to be begotten after you, without all doubt, ambiguitie, scruple or question, the imperiall and royall estate, place, crown, and dignitie of this realm, with all honours, stiles, titles, dignities, regalities, jurisdictions, and preheminences to the same now belonging and appertayning, are

are and shall be most fully, rightfully, really and entirely invested and corporated, united and annexed, as fully and lawfully, to all intents, constructions and purposes, as the same were in the late King Henry the eighth, or in the late King Edward the sixth, your Highnesse brother, or in the late Queen Mary, your Highnesse sister, at any time, sithence the act of Parliament made at Westminster, within your realm of England, in the five and thirtieth year of the reign of your said most noble father, King Henry the eighth, entituled, *An Act concerning the Establishment of the King's Majesties Succession in the Imperiall Crowne of this Realm*, for which causes, we your said loving, faithfull, and obedient subjects, representing the three estates of this your realm of Ireland, as there unto constrained by the lawes of God and man, except we should over much forget our duties to your Highnesse, and to the heyres of your bodie lawfully begoten, can no lesse doe, but most humbly beseech your Highnesse, that by the authoritie of this present Parliament, it may bee enacted, established and declared, That we doe recognise, acknowledge, and confesse the same, your estate, right, title, and succession, as is aforesaid, to bee in, and to your Highnesse, and the heyres of your bodie, to bee begotten, throughly and in the whole, and in every part thereof, in such manner and form, as before is mentioned, declared or confessed, and thereunto most humbly and faithfully wee doe submit our selves, our heyres and posterities for ever, and further doe make our most heartie and humble petitions unto your Highnesse, that it may please the same, not onely to accept this our said recognition, but also our faithfull promises, that we, according to our duties, shall, and will stand to assist and defend your royall Majestie, and the heyres of your bodie, to be begotten, being Kings and Queens of this realm, and your sayd rights and titles, in and to the said imperiall estate, place, crowne and dignitie, in all things thereunto belonging, at all times to the uttermost of our possible powers, and therein to spend our bodies, lands and goods, against all persons whatsoever, that any thing shall attempt to the contrarie.

II. And that it may be enacted by the authoritie aforesaid, that as well this our declaration, confession, and recognition, as also the limitation and declaration of the succession of the imperiall crowne of this realm, mentioned and contayned in the said act, in the said five and thirtieth year of the reign of your said most noble father, shall stand, remaine, and be the law of this realm of Ireland, for ever, in such like and the same force, strength, effect, manner and form as the same hath been, is, and hereafter shall be the law of the realm of England, and that all sentences, judgments, and decrees, had, made, declared, set forth, published, and promulged, and also as much of every clause, article, braunch, matter, or thing conteyned and expressed in any act or acts of Parliament, as be in any thing repugnant, contrarie, or derogatorie to this our said confession, declaration,

A. D.
1560.
Chap. 5.

Enacting
part.

This recognition, and also the limitation of the succession in the said St. 35 H. 8. of like force as in England. All sentences, &c. to the contrary, void.

A. D.

1560.

tion, and recognition, or to any part or parcell thereof, or contrarie to the said limitation of the succession of the imperiall crowne, established and made by the said act, in the said five and thirtieth year of the reign of the said late King Henry the eighth, by whatsoever power or authoritie the same bee, or have been had or made, shall be utterly frustrate, voyd, and of none effect, and also shall and may be cancelled, defaced, and put in perpetuall oblivion, at your Highnesse will and pleasure, as if the same had never been had, made, declared, set forth, published, and promulged.

C H A P. VI.

An Act whereby certaine Offences be made Treason.

1 Eliz. 5.
Eng.
Recital, that by
3 & 4 P. & M.
II. certain of-
fences against
Queen Mary
and Heirs of her
body, made
treason.

To extend
the benefit
thereof to the
present Queen.

Compassing
or imagining to
deprive the
Queen, or heirs
of her body, of
the stile of the
crown, or to
destroy, levy
war against, or
depose any of
them, and ut-
tering the same
imaginations by
open words,
&c.

WHERE in the Parliament holden at Dublin the first day of June, in the third and fourth years of the reigns of the late King Philip and Queen Mary, sister unto our most gracious soveraigne lady the Queen's Majestie that now is, there was an act or estatute made for the better suertie and preservation of the said late Queen, intituled, *An Act whereby certain Offences be made Treasons*; and forasmuch as the verie words and sentences of the said estatute doe extend no further but unto the said late Queen Mary, and the heyres of her body, therefore if any such like offences, as be mentioned and conteyned within the said estatute, should hereafter happen to be committed against our said soveraign Lady that now is, there were no due remedie, to condigne punishment, provided for the same, in consideration whereof, and to the intent that the malice of wicked and ill doers may the better be restrayned, by the extending of the effect and benefite of the matters conteyned in the said estatute to our most dear soveraigne Lady that now is, and for the more suertie and preservation of her Highnesse royal estate; Be it enacted by the Queen's most excellent Majestie, with the assent of the lords spirituall, and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That if any person or persons, after the last day of this session of Parliament, doe maliciously, advisedly, and directly compass or imagine to deprive the Queen's Majestie that now is, or the heyres of her bodie to be begotten, being Kings or Queens of this realm, from the stile, honour, and kingly name of the imperiall crown of this realm, or from any other the realms and dominions unto our said soveraign Lady appertayning or belonging, or to destroy the Queen's Majestie that now is, or any the heyres of her bodie, being Kings or Queens of this realm, or to levie war within this realm, or within any the marches or dominions to the same belonging, against the Queen's majesty that now is, or any the heyres of her bodie, being Kings or Queens of this realm, or to depose the Queens Majestie that now is, or any the heyres of her bodie, being Kings or Queens of this realm, from the imperiall crown of the realms and dominions aforesaid, and the same compasses, or imaginations, or any of them, maliciously, advisedly, and directly shall or doe utter, by open preaching, expresse words, or sayings; or if any person or persons, after the said last day of this session, shall maliciously, advisedly, and directly say, publish, declare, maintaine, or hold opinion, that the Queen's Majestie that now is, during her life, is not, or ought not to be Queen of this realm, or after her death, that the heyres of her Highnesse bodie, being Kings or Queens of this realm, of right ought not to be Kings or Queens of this realm, or that any other person or persons, other than the Queens Highnesse that now is, during her life, ought to be King or Queen of this realm, or any other the realms or dominions aforesaid, or after her death, other than the heyres of her bodie being Kings or Queens of this realm, as long as any of her said heyres of her bodie begotten shall be in life, of right ought to have and enjoy thimperiall crown of this realm, or any the realms and dominions aforesaid, that then, every such offendour,

offendour, being thereof duely convicted or attainted by the lawes of this realm, their abettours, procurours, and counsaillours, and all and every their comfortors, knowing the said offences, or any of them to be done, and thereof duely convicted or attainted as is abovesaid, for his or their such offence, shall forfeit and lose to the Queen's Highnesse, her heyres and successours, all his and their goods and chattles, and the whole issues and profits of his and their landes, tenements and hereditaments for terme of the life of every such offendour or offendours, and also shall have and suffer during his and their lives, perpetuall imprisonment.

A. D.
1560.
Chap. 6.

Offenders,
their aiders, &c.
forfeit goods and
chattels, and
profits of lands
for life,

II. Provided alwayes, and be it further enacted by the authoritie aforesaid, That all and every ecclesiasticall person, being convicted or attainted in forme aforesaid, for every such his offences, shall immediately and presently, upon such attaindour had, be judged and remain in the law to all intents, deprived from all his benefices and promotions spirituall or ecclesiastical, in such manner and forme, that it shall be lawfull for every patron, founder, or giver thereof, to present immediately after such attaindour had, some one other to the same, as though the said offendour or offendours were deceased: and if any person or persons, being hereafter convicted or attainted of anie the said offences, in forme aforesaid committed, shall after his or their conviction or attaindour, eftsoons commit or perpetrat any of the said offence, in forme aforesaid, that then every such second offence or offences, shall be deemed and adjudged high treason, and the offendour or offendours therein, their abettours, procurers, and counsaillours, and all and every their aydours and comfortors, knowing the said offences, or anie of them to be done, being thereof convicted or attainted, according to the lawes and estatutes of this realm, shall be judged and deemed high traytors, and shall suffer paines of death, and lose and forfeit all their goods and chattles, landes and tenements, to the Queen's Majestie, her heyres and successours, as in cases of high treason, by the lawes of this realm at this day of right ought to bee lost and forfeited.

Suffer perpe-
tual imprison-
ment.
Ecclesiastical
persons imme-
diately deprived

Second of-
fence, high
treason.

III. And be it further enact by the authoritie aforesaid, That if any person or persons, at any time after the said last day of this cession, by any writing, printing, overt deede or act, maliciously, advisedly and directly, doe affirme, that the Queen's Majestie that now is, ought not to have or enjoy the stile, honnour, and kingly name of this realm, or that any person or persons, other than the Queen's Majestie that now is, ought to have or enjoy the stile, honour, and kingly name of this realm, or that the Queen's Majestie that now is, durement her life, is not, or ought not to bee Queen of this realm, or after her death, that the heyres of her Highnesse bodie, being Kings or Queens of this realm, of right ought not to have and enjoy the imperiall crown of this realm, or that anie person or persons, other than the Queen's Majestie that now is, during her life, or after her death, other than the heyres of her bodie begotten, being Kings or Queens of this realm, as long as any of her said heyres of her bodie shall be in life, of right ought to have and enjoy the imperiall crown of this realm, that then everie such offence and offences shall be adjudged high treason, and the offendour and the offendours therein, their abettours, procurers and counsaillours, and all and everie their aydours and comfortors, knowing the said offences, or any of them to be done, being thereof lawfully convicted or attainted by the lawes of this realm, shall be deemed and adjudged high traytors, and shall suffer paines of death, and lose and forfeit all their goods and chattels, lands and tenements, to the Queen's Majestie, her heyres and successours, as in cases of high treason, by the lawes of this realm at this day of right ought to be lost and forfeited; saving to everie person and persons, bodies politique and corporate, their heyres and successours, other than the offenders, and their heyres and such person and persons as claim to any of their uses, all such rights, titles, interest, possessions, leases, rents, reversions, offices, and other profits, which they, or any of them, shall have at the day of the committing such treasons, or any time afore, in as large and ample manner, as if this act had never been had nor made.

Said offences
committed by
writing, print-
ing, or any
overt act, high
treason.

IV. Provided alwayes, and be it declared and enacted by the authoritie aforesaid, That concealment, or keeping secret of any high treasons, be deemed and taken onely misprision of treason, and the offendours therein to forfeit and suffer, as in cases of misprision of treason hath heretofore been used; any thing above mentioned to the contrarie notwithstanding.

Concealment,
only misprision
of treason.

A. D.

1560.

Trial of peers.

V. Provided also, that if it shall fortune hereafter any of the peeres of this realm to be indicted of any the offences made treason, or misprision of treason, by this act, that then the same peeres or peere, so being indicted, shall be put to answer to everie such indictment, before such peere of this realm of English blood, as by the lord deputie, or other governour or governours of this realm for the time being, shall be by commission appointed under the broad seal, and to have his and their triall by his or their peeres, and to receive and have such like judgment upon the same triall of his or their peeres, or making open confession of the same offence or offences, as is used in other cases of high treason and misprision of treason.

Prosecution to
be in six months,
where the of-
fence by words.

VI. And be it further enacted by the authoritie aforesaid, That no person or persons shall in any wise be impeached for anie of the offences abovesaid, committed onely by open preaching or words, unlesse the offender or offenders be thereof indicted within six moneths next after the same open preaching or words; any thing mentioned in this act to the contrarie notwithstanding.

VII. Provided alwayes, that the counsaillors, procurers, comforters, and abettours, mentioned in this act, for his or their first offence, shall suffer like punishment as is contayned in this act against the principall offenders for their first offence, and none other, and that the counsaillours, procurers, comforters and abettours, for his or their second offence, shall sustain like punishment, penaltie, and forfeiture, as is contayned in this act against the principall offender or offenders, for their second offence, and none other.

Two witnesses
face to face ne-
cessary.

VIII. Provided alwayes, and be it enacted by the authoritie aforesaid, That no person or persons shall be hereafter indicted or arraigned for any offence or offences made treason, or misprision of treason by this act, unlesse the same offence and offences of treason and misprision of treason aforesaid, be proved by the testimony, deposition, and oath of two lawfull and sufficient witnesses, at the time of his or their indictment, which said witnesses alsoe at the time of the arrainment of the party soe indicted, if they be then living, shall be brought in person before the partie soe arraigned, face to face, and there shall avow and openly declare all they can say against the said partie soe indicted, unlesse the sayd partie soe indicted, shall willingly, without violence, confesse the same. *Expired; extending only to the Queen, and heirs of her body.*

C H A P. VII.

An Act for the Restitution of the late Priorie or Hospitall of Saint John's Jerusalem in Ireland, and of all the Mannours, Lordships, Commaundries, and Hereditaments of the same, to the Imperiall Crown of this Realm.

Recital of
surrender to
K. H. 8. by
the prior of
St. John's
Jerusalem.

IN their most humble wise beseech your most excellent Majesty, your faithfull and humble subjects, the lords spirituall and temporall, and the commons of this your realm, in this present Parliament assembled, That where Sir John Rawson, knight, late prior of the priorie or hospitall of Saint John's Jerusalem, in this your Highnesse realm of Ireland, of his own free and voluntarie minde and assent, without constraint, coaction, or compulsion of any manner person or persons, did, by the due order and cours of the common laws of this your Majesties realm, and by sufficient writings of record, under his convent and common seal, with the full assent and consent of his conbrethren or chapter, give, grant, and confirm unto your most noble father, of famous memory, King Henery theighth, the said late priorie, or the hospitall, and the whole scite, circuite, and precinct of the same, and all and singular

gular the mannors, lordships, commaundries, mesuages, lands, tenements, meadowes, pastures, rents, reversions, services, woods, tyeths, pensions, portions, churches, chapels, advowsons, parsonages, annuities, rights, reentries, conditions, commons, leetes, courts, liberties, priviledges, and fraunchises appertayning, or in any wise belonging to the said late hospitall, or to any commaundrie thereof, to have and to hold the said hospitall, scite, circuit, precinct, mannours, lordships, commaundries, mesuages, lands, tenements, meadowes, pastures, rents, reversions, services, and other the premisses to your said deere Father, his heyres and successours for ever, and the same hospitall, scite, circuite, precinct, mannours, lordships, commaundries, mesuages, lands, tenements, meadowes, pastures, rents, reversions, and other the premisses, voluntarily did renounce, leave, and forsake; and after in the Parliament of your said noble Father, begun at Dublin in the thirtieth day of June, in the three and thirtieth year of his prosperous raigne, and after proroged, adjourned, and continued, as by the rolle of the same Parliament more at large appeareth, it was enacted by your said deere Father, and the lords spirituall and temporall, and the commons in that Parliament assembled, and by the authoritie of the same, amongst other things, "That your said Father should have, hold, possesse, and enjoy to him, his heyres, and successours for ever, the said late hospitall of Saint John's Jerusalem in this realm, and by the same authoritie, and like manner should have, hold, possed, and enjoy the scite, circuite, and precinct of the same, and all the mannours, lordships, commaundries, mesuages, lands, tenements, meadowes, pastures, rents, reversions, services, woods, tythes, pensions, portions, parsonages impropriate, vicarages, churches, chappels, advowsons, nominations, patronages, annuities, rights, interestes, entries, commodities, conditions, commons, leetes, courts, liberties, priviledges, fraunchises, and other whatsoever hereditaments, which appertayned or belonged to the said late hospitall, in as large and ample maner and fourm, as the said Sir John Rawson, late prior of the said hospitall of Saint John's Jerusalem in Ireland, had, held, or occupied, or of right ought to have had, holden, or occupied, in the right of the said late hospitall, at the time of the renouncing, relinquishing, and giving up of the same to your Highnesse said Father.

II. And it was further enacted by authoritie aforesaid, that the said late hospitall, scite, circuit, precinct, mannours, lordships, commaundries, mesuages, landes, tenements, meadowes, pastures, rents, reversions, services, and all other the premisses forthwith and immediately, and presently should be vested, deemed and adjudged by authoritie of that parliament, in the verie actuall and reall seisin, and possession of your said father, his heyres and successours for ever, in the state and condition as they then were, and as though the said late hospitall, scite, circuite, precinct, mannors, lordships, com-

A. D.
1560.
Chap. 7.

The hospitall vested in the King by 33 H. 8.

A. D.
1560.
Chap. 7.

Queen Mary not having due consideration of the maintenance of the crown, which rather needed augmentation than diminution. granted the same to Sir Oswald Messingberde pretending title from foreign authority,

who has departed the realm without licence.

To reform the disherison of the crown thereby said grant, &c. shall be void.

maundries, lands, tenements, and other the premises whatsoever they be, and every of them had in that present act, specially and particularly been rehearsed, named and expressed, by expresse words, names, titles and faculties, and in their natures, kindes, and qualities, as by the said act or estatute, more full and at large appeareth ; by reason of which premisses your Highnesse said father, and your deer brother King Edward the sixth, and the late Queen Mary, your deer sister, were successively seised of the said late hospitall, and of all the mannors, lordships, commaundries, lands, tenements and hereditaments, as well spirituall as temporall, belonging or appertayning to the same, to the great ayd, reliefe and supportation of the inestimable charges of the crowne of this realm, which thing although the said late Queen mought and did manifestly feel and perceive to bee most true, yet she upon certain respects, not having due consideration and regard to the maintenance, upholding, and good continuance of the state of the imperiall crown of this realm in succession, which rather needed an augmentation than a diminution, did together with King Philip her late husband, by their letters pattents, give and graunt the said late priory or hospitall, the scite, circuit, and precinct thereof, and all the mannours, lordships, commaundries, lands, tenements, and hereditaments belonging and appertayning to the same, unto Sir Oswald Messingberde knight, then usurping the name of prior of Saint John's Jerusalem in Ireland, by titles conveyed from foreign authorities, to have and to hold the said late hospitall, and other the premisses unto the said Sir Oswald Messingberd, and to his successours, priours of St John's Jerusalem in Ireland, for ever ; and further as by the same letters patents, remaining enrolled of record in the remembrancie of your Majesties exchequer in Ireland more at large doth appeare ; by force of which letters patents, the said Sir Oswald Messingberd, had and enjoyed the said late hospitall, and all the mannors, lordships, commaundries, lands, tenements and hereditaments, appertayning and belonging to the same, till that now of late, in the first yeare of your Majesties most prosperous raigne, the same Sir Oswald Messingberd, of corrupt and factious mind, and for some disloyall intents and purposes as is to be presumed, have not onely left and forsaken the said hospitall, and the whole possessions thereof, but hath also departed this realm without your Majesties licence, contrarie to his duetie of allegiance, for causes rather suspect to us your loving subjects, than known.

III. Wee your said humble and obedient subjects the lords spirituall and temporall, and commons in this your present Parliament assembled, calling to our remembrance the huge charges of the royall estate and imperiall crown of this realm, and how the same was left unto your Majestie at your first entrie thereunto greatly diminished, as well by reason of the said graunt made to the said Sir Oswald Messingberd, by the said King Philip and Queen Mary, as otherwise, doe accompt of very right and congruence, no lesse then

then our most bounden dutie, to move your Highnesse, and there-
with most humbly to beseech the same, that the disherison and decay
committed and done to the crown and estate royal of this your realm,
and the succession thereof, by reason of the said graunt made by the
said King Philip and Queen Mary, at this Parliament, bee reform-
ed and avoyded, and that with your Highnesse favour and royall as-
sent, it may be enacted, ordeyned, established and provided by the
authoritie of this Parliament, in maner and form hereafter ensuing,
That is to say, that the said letters patents, made by the said King
Philip and Queen Mary, to the said Sir Oswald Maffingberd, of and
upon the said late hospitall, and the mannours, lordships, commaun-
dries, lands, tenements and hereditaments, spirituall and temporall ap-
pertayning, and in any maner of wise belonging to the same, and all
articles, clauses, graunts, and sentences therein contained, shall bee
from and after the xxiii. day of August last past utterly and cleerly
resigned, repealed, made void and of no force nor effect, and that like-
wise all authorities, jurisdictions, preheminences, liberties, honours,
stiles, titles, incorporations and dignities, graunted, limited, made,
established and appointed, in and by the said letters patents, or in and
by any bulls, breves, or other writings whatsoever, made, conveyed,
or derived, by, or from any foreign authoritie or power to the said
Sir Oswald Messingberde, touching or concerning the said late priorie
or hospitall of Saint John's Jerusalem in Ireland, or the man-
nours, lordships, commaundries, and other the hereditaments as
well spirituall as temporall, belonging and appertayning to the same,
or touching and concerning the royall superioritie or government of
the said late priorie or hospitall, and the lordships and commaun-
dries thereof, shall, from and after the said xxiii. day of August,
cease and be utterly voyd and determined.

IV. And be it likewise enacted by the said authoritie, that the
said late hospitall, or priorie of Saint John's Jerusalem in Ireland, and
the scite, circuite and precinct of the same, and also all and singular
the manors, lordships, commaundries, messuages, lands, tenements,
meddowes, pastures, rents, reversions, services, woods, milles, weares,
fishings, tythes, pensions, portions, parsonages impropriate, vica-
rages, churches, chappels, advowsons, nominations, patronages, an-
nuities, rights, entries, commodities, conditions, commens, leetes,
courts, liberties, priviledges, franchises, and other whatsoever here-
ditaments, as well spirituall as temporall, which appertayned or be-
longed to the said late hospitall of Saint John's Jerusalem in Ireland,
or that were reputed, known, taken, used, occupied or enjoyed,
as member, part, parcel, right, possession or hereditament of the
said late hospitall or priory, shall, from and after the said xxiii. day
of August, bee deemed and adjudged to all intents, constructions and
purposes, in the Queen's Highnesse most royall person, her heires and
successors, and united and annexed to the imperial crown of this
realm, of and such like, and the same estate, interest, title, quality,

A. D.
1560.
Chap. 7.

And said
hospital vest-
ed in the
Queen, her
heirs and suc-
cessors.

A. D.
1560.
Chap. 7.

Saving right
of others.

Except
rents, ser-
vices, &c.

Saving also
all benefits
under St. 33
H. 8.

Tenants, &c.
in arrear an-
swerable to
the Queen at
the exche-
quer.

sorte, degree, and condition, and in as ample and beneficiall maner and forme as the same was or were in, in the person and possession of the said late Queen Mary, at any time before the said letters patents made to the said Sir Oswald Maffingberde, the same letters patents, or any thing in them conteyned, or any act, or acts of Parliament heretofore established and ordeyned within this realm, or any other matter or thing, had, done, or suffered by the said late Queen, or any other person or persons whatsoever, to the contrarie thereof in any wife notwithstanding. Saving to all and every person and persons, bodies politique and corporate, their heyres, executours, successeurs, and assignes, and everie of them, other than the said Sir Oswald Maffingberd, late priour, and his successeurs, and the late commaundours of the said commaundries, and their successeurs, and the successeurs of every of them, and such as pretend to bee foundours, patrons or donours, of the said late hospitall, or of the commaundries aforesaid, or any of them, or any lands, tenements, rents, services, parsonages, tythes, or other hereditaments, spirituall or temporall, to them or any of them belonging, and their heyres and successeurs, and the heyres and successeurs of everie of them, and also other then such person or persons, their heyres and successeurs, and every of them, which bee except, seclused and foreprised from the benefite of the savings, or provisions, conteyned and expresse in the said act, made in the said three and thirtieth year of King Henry the eighth, all such right, title, clayme, interest, possession, lawfull entries, rent charges, fee ferme, annuities, leases, offices, fermes, liveries, livings, fees, pensions, corodies, commons, synodes, proxies, and other profites, which they or any of them had claymed, or mought have had, perceived or enjoyed, of, in, or to the premises, or any parcell or part thereof, at any time before the said letters patents, made by the said King Philip and Queen Mary, in such like form, manner and condition, to all intents, respects, constructions and purposes, as if this act had never been made; rents, services, and rents feckes, and all other services and suits which were due to be payed or done, to any person or persons for and out of the premises, or any part thereof, onely excepted, and foreprised out of this clause of saving. Saving also to all and every person and persons, bodies politique and corporate, their heyres, executours, successeurs, and assignes, and everie of them, other than such persons, as be before excepted and foreprised, all, and all manner benefites and advantages, liberties and commodities, which they, or any of them, may or ought to have, claime, and take in and by the said act or estatute, made in the said three and thirtieth year of King Henry the eighth, and in or by any article, clause, or sentence therein conteyned; this act or any thing therein conteyned, or founding to the contrary thereof in any wife notwithstanding.

V. And be it further enacted by the authoritie aforesaid, that all and singular tenants, fermours, lessees and occupiers of the premises, or any part thereof, their heires, executours and assignes, which

the

the said xxiiii. day of August were behinde, or in any arrerages of and with the rents, fermes, or other revenues, profites or dueties by them or any of them due and payable, for and by reason of the premisses, or any part of them, shall and may be, by thauthoritie of this act, severally chargeable, accomptable, and answerable to the Queen's Majestie, her heires and successours, in and at her Highnesse court of the exchequer, of and for the same arrerages and dueties, as other accomptants been and shall be in the same court, the said letters patents, or any other matter or cause, to the contrarie thereof in any wise notwithstanding.

A. D.
1560.
Chap. 7.

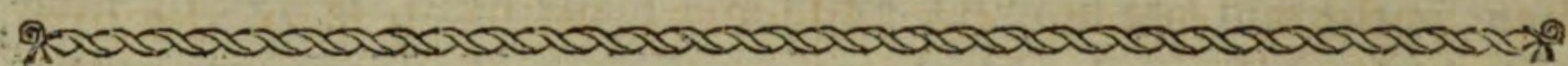
VI. And where the said Sir Oswald Maffingberd, during the time that hee held and enjoyed the said late hospitall, and other the premisses, by colour of the said letters patents, specially and chiefly sithence the death of the said late Queen Mary, having in himselfe, as is to be supposed, a determination to leave and relinquish the same hospitall and possessions thereof, did of a set will and purpose, to diminish the revenues and profits of the same late hospitall of the mannours, lordships and commaundries thereof, and contrarie to the order taken with him by the said late Queen, upon his establishment in the said late hospital, grant and make forth, as well by himselfe solely, as by and with the assent of his conbrethren, or chapter, under their convent and common seale, divers and sundry leases for years, of mannours, lordships, commaundries, and other the said hereditaments, spirituall and temporall, which at the time of his leases, were in lease, some for thirtie, some for fortie, some for threescore years, and did also graunt unto divers and sundry persons, large annuities, fees, rents and pensions, to goe out and forth of the said late hospitall, and other the hereditaments, spirituall and temporall aforesaid, and to some of the same his deeds hath, as is thought and said, given antedates, by the meane whereof, the same late hospitall cannot, nor may not be in the Queen's Majestie, in so ample and beneficial condition, manner and form, as is meant and intended by this act, unlesse that the said leases and grants, so made by the said Sir Oswald, and his conbrethren, or chapter, be reformed and avoyded. Be it therefore enacted by the authority aforesaid, that all and every the said leases, demises, gifts, and grants, of any lordships, mannours, commaundries, mesuages, lands, tenements, tyeths and hereditaments, spirituall or temporall, fees, pensions, annuities, rents, offices, corodies, or other profites or commodities whatsoever, and all and every act and acts, thing and things, made, wrought, suffered or done, by the said Sir Oswald Maffingberd, as priour of the said late hospitall, solely, by matter in deed, or of record, or by him with the assent of his said conbrethren, or chapter under their convent or common seale, sithence the day of the date of the said letters pattents, graunted by the said late King and Queen, to the said Sir Oswalde, shall be judged, taken or deemed, and reputed utterly and clearely voyde, determined, and of no force ne effect, to

Leases and
grants, &c. by
Maffingberd,
void.

A. D. 1560. Chap. 7. all intents, constructions and purposes, as if the same had never been made, wrought, suffered or done; any matter, cause or thing had, done or suffered, to the contrary thereof, in any wise notwithstanding.

Tenants not
to be charged
for payments
to Maffing-
berd.

VII. Provided alwayes, and bee it enacted by the said authoritie, that this act, or any thing therein conteyned, shall not in any wise be prejudiciall or hurtfull to any the tenaunts, fermours, lessees or occupiers of any of the premisses, their heyres or executors, for any rents, fermes, or other revenues, profits or dueties, by them payed for and out of the premisses, or any part of them, to the said Sir Oswald Maffingberd, his receivers or assignes, before the said foure and twentieth day of August, but that the said tenaunts, fermours, lessees or occupiers, their heyres and executors, and every of them, shall be cleerly and fully acquitted, exonerate and discharged, of and for the same payments, and every of them, against the Queen's Majestie, her heyres and successors: any thing conteyned in this act, or any other cause or matter to the contrary hereof, in any wise notwithstanding.



The eleventh Year of Elizabeth.

A. D. 1569. Statuta Ordination, Act & Provisiones ædit' in quodam Parlamento illustrissimæ principis dominæ nostræ ELIZABETHÆ Dei gratia *Angliæ, Franciæ & Hiberniæ* Regniæ fidei defens. &c. virtute commissionis & mandati dict' dominæ Reginæ sub magno sigillo suo *Angliæ* apud *Dublin* die Lunæ prox. post octavam Epiphaniæ, viz. xvii. die *Januarij*, anno regni prædict' dominæ Reginæ undecimo coram prædilect' & fideli consiliar' suo *Henrico Sidney* præclari ordinis sui garterij milite, domin' præfident' consilij sui infra principalitat' & Marchias suas *Walliæ*, deputat' suo generali regni sui *Hibern'* tent' ædit', & ibm' continuat' usq; ad diem Lunæ prox. ante fest. Sancti *Mathiæ* Apostoli: vz. xxi. die *Februar.* ann' reg. dict' dom' Reginæ undecimo, & ibm' tent' & continuat' usq; ad xxiii. diem *Februar.* anno reg. præd' dom. Reginæ undecim, prox. futur', & ibm' prorog. abinde usq; ad x. diem *Octobris* tunc prox. futurum, anno regni præd' dom. Regin' undecim' ad *Dublin* præd' & ibm' tent' & continuat' usq; ad ultimum

ultimum diem ejusd' mensis Octobris, & eod' die prorog. abinde apud villam de *Drogheda*, & ibm' tent' & continuat' xiii. die Febr. anno duodecimo regni Reginae, præd' usq' ad xv. diem ejusd' mensis Februar. & ibm' prorogat' abinde eodem xv. die Februar. ad civitatem *Dublin*, præd. usq; xxvi. diem Maij tunc prox' sequen' & eodem xxvi. die Maij apud *Dublin* tent. & ibm' continuat' usq; ad xxvi. diem Iunij tunc prox. sequen' anno duodecimo regni Reginae præd' & eod' xxvi. die Iunij prorog. abinde usq; ad sextum diem Novemb. tunc. prox. futur. ann. duodecim' regni' Regin' præd' & eod. vi. die Novemb' anno præd' ibm' tent' & continuat. usq; ad secund' diem Decemb. tunc. prox. futur. anno tertio decimo regni Reginae præd' & eodem secundo die Decemb. prorog. abinde usq; ad quint. diem ejusdem mensis Decem. Et eodem. quint. die Decem. anno tertio decimo regni Reginae præd. apud *Dublin* præd. tent. & ibm' continuat, usq; ad duodecimum diem ejusdem mensis Decemb. Et eodem duodecim' die Decembris proro' abind' usq; ad xxv. diem Apr. tunc prox. futur.

A. D.
1569.

C H A P. I.

The Act of Subsidie granted to the Queen's Majestie.

WHERE at a Parliament holden at Dublin the first day of June, in the third and fourth years of the raignes of King Philip and your most deare sister Queen Mary, before their right welbeloved counsen and counsailor Thomas Earle of Suffex, Viscount Fitzwaters, Lord Egremount and Burnell, one of the gentlemen of their privie chamber, captaine of all the gentlemen pensioners at armes to their Majesties, in your realme of England, and then the lord deputie of your Majesties said realm, we your Majesties loving, faithfull and obedient subjects, considering with our selves the infinite massies of treasure able to purchase a kingdom, that your most noble progenitors, the famous princes of England, hath exhausted for the government, defence and preservation of us, and this your Highnesse realm of Ireland, did then, as an argument of our benevolent and loial minds towards the maintenance and conservation of your kingly estate over us, graunt unto the said Queen's majestie, her heyres and successours, a subsidie of thirteen shillings foure pence, of every plough land within this realm, for tenn years then ensuing, and now expired, to be taxed and levied in such rate and form, as in the same act, entituled, *The Act of Subsidie*; more amply doth appear; and being now at this present time justly moved by sundry great causes of joy and comfort, which we daily receive through your Majesties inestimable goodnesse in providing for us so profitable a governour as the right honorable Sir Henry Sydney, Knight of the honourable order, now lord deputie of this your Majesties realm of Ireland, who by his great travail of bodie and mind, sincere, and upright administration of justice, hath not onely, through your Highnesse maintenance and supportation, put in suspence that grievous and intollerable exaction of coyne and livery, the freter of our lives and sub-

Expired.

Recital of a
subsidy of a 13s.
and 4d. for every
ploughland
for 10 years to
Q. Mary, by
stat. 3. and 4.
P. and M. chap.
12. now ex-
pired.

Sir Henry Sydney,
lord deputy,
having put
in suspence
coyne and li-
very.

A. D.
1569.
Chap. I.

And suppressed
Oncil's rebel-
lion.

In alleviation
of the Queen's
charges, and in
consideration of
being delivered
from the griev-
ous exaction of
coyne and li-
very.

The said sub-
sidy renewed for
10 yeares.

Payable yearly
at feast of St.
Michael.

All crosse
lands and clergy
chargeable, as
they were by
the act of sub-
sidy, 28 H. 8.
chap. 27. in the
shires of Dub-
lin, Meath,
Kildare and
Louth.

Divers parts
not being yet
established for
shire grounds,
there is no ex-
tent certain of
plough lands,
whereby this
benevolence not
so beneficial as
intended.

The governor
may make com-
missioners in
every county,
except the said
4 shires, for
extending and
estimating
ploughlands in
the like man-
ner.

Which extent
shall be returned
into exchequer.

All persons to
assist the com-
missioners, and
observe the or-
der taken by
them, on pain
of 5l.

stance, but also hath subdued and brought to nought that unnaturall and ranke rebell, Shane Oneil, the chiefe disquieter and hinderer of this our common wealth, whereby the whole countries and territories of Ulster, are like shortly, by the grace of God, to be at your Majesties devotion and disposition: for whose tender care over us, shewed by the deputing and supporting of so good a minister, wee your faithful subjects acknowledge our selves more beholding to your most excellent Majestie, than we can with tongue or pen expresse, and shall incessantly make our prayers to Almighty God, for the preservation of your most royal and noble personage long and prosperously to reigne over us, and other your realmes and dominions. And haveing with all due consideration of the huge charges already employed, and to be employed by your Majestie, for bringing to passe of these great things, tending to the sound and universall reformation of this your Highnesse realm, which wee hope your Highnesse doe graciously mean and trust to be in these your happy dayes, to the glorie of God and your immortall fame, wee for the allevation of some part of your Majesties said inestimable charges, and in consideration to be from henceforth delivered from that grievousexaction of coyne and livery, doe most lovingly and freely offer unto your Majestie, not onely the renewing of the said subsidie now expyred, but also lowly and hartily profer to you our bodies and substance to maintaine these your just quarrells, godly enterprises, and lawfull attempts, and doe humbly require that the graunt of the said subsidie may be enacted. And bee it therefore enacted, ordayned and established by your Majestie, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That your Majestie, your heyres and successours, shall have and perceive yearly a subsidie of thirteene shillings foure pence, of and upon every plough land occupied or manured, or hereafter to be occupied or manured within this your realm of Ireland, from the time of the occupying or manuring thereof, as long time as it shall be occupied or manured, to be payed in manner and forme before said, from the last day of September, which was in the year of our Lord God a thousand five hundred threescore and sixe, to the end of the terme of tenn years then next ensuing, payable yearly at the feast of Saint Michael the Archangell, during the said tearm, and that all crosse lands and cleargie of this realm, shall bee yearly charged during the said tearm, with like subsidie unto your Majestie, your heires and successours, to be levied at the feast aforesaid, in like manner and forme as the crosse lands and clergie of the shires of Dublin, Meth, Kildare and Loweth, were charged with by the Parliament of this realm, begun at Dublin the first day of May in the eight and twentie year of the raign of your Highnesse most deer father King Henry the eight, in the act of subsidie passed in that Parliament, and in none otherwise; and forasmuch as divers countries and parts of this realm, which now bee shire grounds, and which are not yet established for shire grounds, there is no extent certaine of ploughlands, by which occasion, this benevolence of us, your said loving subjects, cannot be so beneficiall unto your Majesty, your heires and successours, as wee doe intend and meane it, unlesse order be taken for reducing the same to like certaintie as they be in your shires of Dublin, Kildare, Meth, and Lowth.

II. Bee it enacted, ordayned and established, by the authority of this present Parliament, That the lord deputie, or other governour of this realme for the time being, shall have full power and authoritie by force of this act, to make, ordeyne and depute, such and so many commissioners in everie countie or shire of this realm, now made, established, and known for shire ground, the said shires of Dublin, Kildare, Meth and Loweth onely excepted, and that hereafter shall be made and established shire ground for the extending and making of ploughlands, of like rate, estimate and quantitie, as ploughlands bee presently most universally set out and knowen in the shires of Dublin, Kildare, Meth and Loweth, whereof or upon which the said subsidie of thirteen shillings and foure pence shall be leviable and perceived, and also for the levying, rearing, and perceiving of the said subsidie to the use and behoofe of your Majestie, your heyres and successours, in manner afore expressed, which rate and extent so set out and made by the said commissioners, shall bee returned by them into your Majestie, your heires and successours court of exchequer in this realm, there to remaine of record for ever, and that the same plough lands so rated and extended, shall be and stand charged with the said yearly subsidie, according to the tenour and purport of this present

present act, and that every person and persons within this realm, to their power and knowledge, of what estate, condition, or degree soever hee or they be, shall bee ayding and assisting to the said commissioners and everie of them, and shall rightly, truely and obediently, observe and keep the order to be taken by them, aswell in the extent and rate of the plough lands, as for the levying and rearing of the said subsidie in manner aforesaid, upon paine of five pounds to bee forfeited by every person that shall offend in this point, so ofte as he doth transgresse this establishment, which forfeiture shall bee levied and taken to the use and behoofe of your Majestie, your heires and successours, of and upon his lands, goods and cattalls, by such and the same order, as like forfeitures to your Majestie, by the laws of this realm, be leviable and perceivable.

A. D.
1569.
Chap. 1.

III. Provided alwayes, and be it enacted by the authoritie aforesaid, That no manner man spirituall ne temporall, ne commoner of this realm, nor any corporation within the same, having freedom or discharge of subsidie by your Majestie, or any your progenitours, grants, or by act or acts of Parliament of this realm, or other lawfull meane shall be charged with subsidie by force of this act.

Not to charge those who have freedom from subsidy.

IV. Provided also, That neyther the citie of Dublin, the citie of Waterford, the citie of Corke, the citie of Lymericke, ne the townes of Drogheda, Kilkenny, Kynsale, ne none other citie ne towne privileged, ne borough towne within this realm of Ireland, nor any the citizens, burgeses or inhabitants of them, or any of them, shall be charged with subsidie, for any the lands or hereditaments that bee parcell, part or member of the same cities, towns or boroughes, or any of them, or scituated within the franchise, liberties, limits, or bounds of any the same cities, towns or boroughes.

Nor lands within limits of privileged cities and towns.

V. Provided also, and be it enacted by the authoritie aforesaid, That all lords, knights, esquiers and gentlemen that now bee charged by law, custom, or usage of this realm, or hereafter shall bee charged and appoynted by the lord deputie, or other governour of this realm for the time being, by reason of their lands and possessions, to goe or send to hostings, roades or journeyes, for service of the realm, at their proper charges, having assignement of carting and carriage after the auncient custome, which lords, esquiers or gentlemen, have or shall have their chief dwellings in the countries out of the cities and privileged towns, shall be during the time that they so have or shall have their chief dwellings in the countrey, free and discharged of this subsidie, for so much as such portion of their lands and possessions, as presently by any ordinary meane is assigned unto them, as competent, for their proper manurance, plowing, and cattel, in their chief dwelling places, or that hereafter shall be assigned, limited, and set out by commissioners to be appointed in every shire now established or hereafter to be established in this realm by your Majestie, your heyres or successors, commission or commissions, to be made under yours or their great seal of this realm, at or by the denomination of the lord deputie, or other governour of this realm for the time being, for that purpose, in everie of which commissions, one of your Majesties, your heyres or successors, privie counsell in this realm to be of the *quorum*, and shall also be free and discharged from and of all coyne and liverie, and of carting and carriage to hostyngs, roades, and journeyes.

Persons charged to go or send to hostings, &c. for service of the realm, having their chief dwellings in the countries, shall during that time be free of this subsidy for so much, &c.

VI. Be it also enacted by the authority aforesaid, That all such lands and tenements, and all other possessions and things both spirituall and temporall, which have comen, or hereafter shall come to your Majesties hands or possession, or to the hands and possession of any your heyres or successors, or that heretofore have comen to the hands or possession of your Majestie, or any your most noble progenitors and predecessors, the auncient inheritance of your Majestie, or any your most noble progenitors only excepted, shall be charged with this subsidie in like sort and manner, as the same were or ought to have been charged, with like subsidie heretofore granted before the comming of the same lands, tenements and possession, to the hands and possession of your Majestie, or any your predecessors, progenitors, heyres or successors, and in no other maner.

All lands, &c. which have or shall come to the crown, except the auncient inheritance, shall be charged with this subsidy, as with like subsidy heretofore.

VII. Provided also that this act, nor any thing therein conteyned, shall in any wise extend or be ment to charge any the polles of Meth or Westmeth, with this said subsidie or any part thereof, so that the same polles and the inhabitants, manurers or occu-

Not to charge the polles of Meth and Westmeth, so that they bear the accustomed impositions.

A. D.
1569.

pyers of the same, doe bear and yeald such charges and impositions as they have been accustomed heretofore : any thing in this act to the contrarie notwithstanding.

C H A P. II.

An Act for the Limitation of Places for Tanning of Leather.

Rep. 10. &
II. C. 1. 6.
The lord deputy by advice of the council, may appoint places for the tanning hides and leather.

IT is enacted by our soveraign lady the Queene's Majestie, by assent of the lord's spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, that the right honourable Sir Henry Sidney, Knight of the most noble order, now lord deputie of this realm, by advise of the Queene's Majesties privie counsell, shall have full power and authoritie, by tenour of this act, to limit and appoint in all and every the shires of this realm, such place and places for the tanning of hydes and leather, as to his wisdom by advise aforesaid, shall be thought meet and convenient, and that all the hydes and leather tanned, or put to be tanned in any other place or places by any person or persons after the limitation and appointment of the said place or places, by his honour, in any shire, other then in the said place or places so limited or appointed, shall be forfeit, the one halfe thereof to our soveraign lady the Queen's Majesty, her heyres and successours, and thother halfe to the party that will informe the same, the justices of peace, justice of gaole delivery, assise, oyer and determiner in every shire, to enquire thereof, heare and determine the same.

C H A P. III.

An Act confirming the Queen's Title, and the Interest of Patentees, in the Landes of late belonging to Christopher Ewstace and others.

Recital of
28 H. 8.

Christopher
Eustace executed for high
treason.

WHERE in a Parliament holden at Dublin the first day of May, in the twentieth and eight yeare of the raigin of the Queene's Majesties most noble father King Henry the eight late King of England, before his trusty and welbeloved the lo : Leonard Gray, Knight, lord Gray, deputy to the said late King, and to his most deer and most beloved cousin Henry duke of Richmond and Somersset, then his lieutenant of this his land and dominion of Ireland, there was one act made and established, by the tenour of which act, it appeareth that Christopher Ewstace, of Cotlanston in the countie of Kyldare, Esquire, and certain others in the said act named, did commit and perpetrate high treason, which Christopher Eustace was condemned, executed and suffered death for the said treason ; after whose death all the mannours, castles, mesuages, lands, tenements, and hereditaments, with the appurtenances, whereof the said Christopher, or any other person or persons, were seysed to his use, were come and taken into the hands of the said late King Henry the eighth, and sithence that time to this present, have continued in the possession of the said late King Henry the eighth, King Edward the sixt, Queen Mary, King Philip and Queen Mary, and of our soveraign lady the Queene's Majestie that now is, except such parcells of the same as were by any of the said noble princes King Henry the eight, King Edward the sixt, Queen Mary, King Philip and Queen Mary, or our soveraign lady the Queen's Majestie, given, graunted, bargained,
or

or sold to any person or persons, of all which parcels so given, graunted, bargained or sold, the grauntees or patentees, their heires and assignes, have continued in the quiet possession of the same, likewise to this present. For confirmation therefore of the right, title, and interest of our said soveraign ladie the Queen's Majestie, and the said patentees and grauntees, their heyres and assignes, in the premisses, and to the end no scruple or question may hereafter remaine, whereby any person or persons, by subtile or finister practise, might take occasion to encumber, vex, or disturb the possession of our soveraign ladie the Queen's Highness, her heyres and successours, eyether in the said land, tenements, or hereditaments, or in any other lands, tenements, or hereditaments, which were unto any other person or persons in use or possession attainted or charged with treason by the said act, or to vex, cumber or disturb, the possession of any the patentees, grauntees, lessees, of any the said noble princes, or the heires, executors, or assignes of the said patentees, grauntees, or lessees of any the said lordships, manors, castles, meases, lands, tenements or hereditaments: Be it ordeyned established, and enacted by our soveraign lady the Queen's Majestie, by the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That the said Christopher Ewstace, be deemed, reputed and adjudged as a traytour and person attainted of the said treason, which by the tenour of the sayd act is recyted that hee committed.

A. D.
1569.
Chap. 3.

II. And be it further enacted, ordeyned, and established by authoritie afore said, That all the castles, manours, houses, meeses, lands, tenements, rents, reversions, services, mills, moors, meadowes, pastures, woods, waters, fishings, courts, leets, warrens, advowsons of churches, and all other hereditaments, commodities, dueties and profites, of what nature, name, condition, or kind the same bee, with all and singular their appurtenances, whereof the said Christopher Ewstace, or anie other person or persons charged or attainted of treason by the said act, were seised in fee simple or fee tayle, or whereof any other person or persons were seised to the use of them, or any of them and their heyres, or the heires of any of them, or the heyres male or generall of the bodie of any of them, the day or time of their treason, by the said act supposed to bee done or committed, or any time after, shall be and remain to our soveraign lady the Queenes Majestie, her heyres and successours for ever, the lack of any record or records, of any the said person or persons, attainder or attainders, or any error in the same, or any other cause or matter to the contrary in any wise notwithstanding.

Confirma-
tion of his
attainder and
the Queen's
title to his
lands, &c.
notwithstand-
ing any error
therein, or
lack of re-
cord.

III. And be it further enacted by the authority afore said, That all the castles, manours, lordships, meases, lands, tenements, rents, reversions, services, milles, moores, meddowes, pastures, woods, waters, fishings, and other hereditaments, commodities and profites, of what nature, condition or qualitie the same were or be, whereof

Attainder
of Nicholas
Keting and
David Nevel,
their lands,
&c. remain to
the Queen,

A. D.
1569.
Chap. 3.

notwithstanding
lack of
record, &c.

Confirma-
tion of the
patentees of
any said lands.

The paten-
tees paying
&c.

Nicholas Keting, commonly called the Baron Keting, David Nevell, commonly called the Baron Nevell, in the countie of Wexford esquiers, or any of them were seised in fee simple or fee tayle, the day of their attainder or deaths, or the day of the attainder or death of any of them or whereof any other person or persons were seised to the use of them, or any of them, of any estate of inheritance, the day of the death of any of them, shall be and remaine to our soveraign lady the Queenes Majestie, her heires and successeurs for ever, the lack of any record or records, of any the said person or persons, attainder or attainders, or any error in the same, or any other cause or matter, to the contrary in any wise notwithstanding.

IV. Provided alway, and bee it enacted by the authoritie aforesaid, that all and every letters patents, under the great seal of England, or under the great seal of Ireland, made by any of the said noble princes, King Henry the eighth, King Edward the sixth, Queen Mary, King Philip and Queen Mary, or by our soveraigne lady the Queenes Majestie that now is, to any person or persons before the first day of this present Parliament, of any the said lordships, mannours, castles, mefes, lands, tenements, rents, reversions, services, hereditaments, or any other the premisses, shall be and remain in full force and effect, to all intents, constructions and purposes, and that the said patentees, their heirs, executors, and assigns, shall have and enjoy all the lordships, manours, castles, mefes, lands, tenements, rents, reversions, services, milles, moores, meddows, pastures, woods, waters, fishings, hereditaments, commodities and profits, with the appurtenances, and everie other thing and things in their letters patents specified and conteyned, that is to say, eyther of the said patentees, his heires, executors, and assigns, according to the words, purporte and limitation of their letters patents, this present act, or the lack of the records of the attainder of the said persons, or any of them, or error in the same, the lack or insufficiencie of offices taken of any the said lands, to the contrarie in any wise notwithstanding.

V. It is likewise ordeyned and enacted, That the said patentees, their heyres, executours and assigns, shall yeeld, pay, doe, and observe to our soveraigne lady the Queen's Majestie, her heires and successeurs, everie thing and things to be yeelded, payed, done and observed of their parts, by tenour of their letters patents, and shall yeeld and pay to everie other person and persons, every rent, custome, profite and duty, which of right they ought to have out of any the said hereditaments, or by reason of the same, at any time sithence the date of their letters patents before the passing of this act.

CHAP. IV.

An Act that five Persons of the best and eldest of every Nation amongst the Irisherie, shall bring in all the idle Persons of their Surname, to be justified by Law. Rot. Parl. cap. 6.

WHERE we, your Majesties most humble and obedient subjects, have been these many years past grieved with a generation of vile and base conditioned people, bred and maintained by (coynie and liveries) the auncient enemies to the prosperitie of this your Majesties realm, of which sort the lords and captains of this land hath to raise and stirre up some to be maintained as outlaws to annoy each others rules, and so serving the iniquitie of the time, hath not onely in attending those practises, imbased their owne particular estates, but also brought the whole publike wealth of their supposed rules to ruine and utter decay; for remedie whereof, your said subjects most lowly and humbly beseech it may bee enacted, ordeyned and established by your most excellent Majesty, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, that from henceforth, five persons of the best and eldest of everie stirpe or nation of the Irisherie, and in the countries that bee not as yet shire grounds, and till they bee shire ground, shall be bound to bring in to be justified by law, all idle persons of their surname, which shall bee hereafter charged with any offence, or else satisfie of their owne proper goods, the hurtes by them committed to the parties grieved, and also yeeld to the Queen's Majestie, her heires and successours, such fines as by the lord deputy, governour or governours, and the councill of this realm for the time being, shall be assessed for their offences.

Rep. 10. and
11 C. 1. 6.

33 H. 6. 3 Ir.
35 H. 6. 2. Ir.

Five persons of the best and eldest of every stirpe of the Irishry, and in countries not yet shire ground, bound to bring in to be justified by law, all idle persons of their surname charged with offence, or else satisfy for the same out of their own goods, and fined at discretion.

CHAP. V.

An Act for reviving the Statute against Gray Merchants; the Statute for Servants Wages, and the Statute of Jeofailes. Rot. Parl. cap. 7.

WHERE in the first session of Parliament holden within this realm at Dublin, the Monday next after the feast of the holy trinity, the xiii. day of June in the xxxiiii. year of the raigne of the noble King Henry the eighth, father to our soveraign lady the Queen's Majestie, before the right honourable Sir Anthony Seintleger, knight, one of the gentlemen of the said noble king's privy chamber, lord deputy of Ireland, there was an act established and made by authority of the said Parliament, that no person or persons to the intent to sell the same again, should buy, or cause to be bought within this land any hydes felles, chequers, fleges, yarne, linnen cloth, wool or flockes, in any other place or places, but onely in the open market or fayr, and if any person or persons did otherwise, and were of the same duely convict, that then every person or persons so convicted, to be adjudged a forestaller of the market, with certain penalties in the same act; which act was to endure but to the last day of the next Parliament, then after to be holden within this land, in which Parliament there was one other act made and established, intituled, *An Act for servants wages*, to endure to the next Parliament within

The following statutes revived and recontinued.

33 H. 8. 2. sess. 1. against gray merchants.

33 H. 8. 9. sess. 1. for servants wages.

33 H. 8. 3. sess. 2. stat. of Jeofailes.

A. D. this land after to bee holden. And in the next cession of the said
1569. Parliament holden before the said lord deputy at Lymerike, the
 fifteenth day of Februarie, in the said three and thirtieth year of
 the raign of King Henry the eight, there was one other act estab-
 lished and made, intituled, *An Act for proceeding to judgment not-
 withstanding mispleading, jeofaile, or certain other defaults*; which act
 was to continue to the last day of the Parliament, then next to be
 holden within this realm; for that the said acts are meet and ex-
 pedient to be continued, it is ordeyned, established, and enacted by
 our soveraign lady the Queen's Majestie, by the assent of the lords
 spirituall and temporall, and the commons in this present Parlia-
 ment assembled, and by authoritie of the same, that the said three
 severall acts, and every article, clause, provision, thing and things
 in the same specified or conteyned, shall be recontinued, revived,
 and from henceforth for ever, remaine as lawes, within this realm
 to be observed and kept: any cause or matter to the contrarie
 notwithstanding.

The eleventh Year of Elizabeth. Sess. 2.

**Stat' Ordination' & Act' in Parlamento prædict' apud
 Dublin. præd. die Lunæ proxim. ante festum sancti
 Mathæi Apost. viz. vicesimo primo die Februar.
 Anno undecimo Regni Reginæ prædict. coram
 Prefato deputato, similiter tento edit' in hæc verba.**

C H A P. I.

*An Act authorising Statutes, Ordinances, and Provisions to be made in
 this present Parliament concerning the Government of the common
 Weale, and the Augmentation of Her Majesties Revenues, notwith-
 standing Ponynge's Act. Rot. Parl. cap. 8.*

**11 Eliz. 8.
 sess. 3.**

**Recital of
 10. H. 7. 4.**

IN their most humble wise beseechen your most excellent Ma-
 jestie, the lords spiritall and temporall, and all other your
 Highnesse most loving and obedient subjects, the commons in this
 your high court of Parliament assembled: That where in a Par-
 liament holden at Drogheda, the Monday next after the feast of
 Saint Andrew the apostle, in the tenth year of your most noble
 grandfather King Henry the seventh, before Sir Edward Ponynge,
 knight, then lord deputy of this realm, it was, amongst other things
 enacted, and established, " That no Parliament should be holden in
 " this realm, but at such season as the King's lieutenant and counsell
 " here did certifie the King, under the great seal of this realm, the
 " causes and considerations, and all such acts as them seemed,
 " should

“ should passe in the same Parliament, and such causes, and con-
 “ siderations, and acts, affirmed by the King and his counsell to be
 “ good and expedient for this realm, and his licence thereupon
 “ as well in affirmation of the said causes and acts as to summon
 “ the said Parliament, under his great seale of England had and
 “ obtained; that done, a Parliament to be had and holden after the
 “ forme and effect afore rehearsed: and if any Parliament bee
 “ holden in this realm contrarie to the forme and provision a-
 “ foresaid, it bee deemed voyd of none effect in the law.”

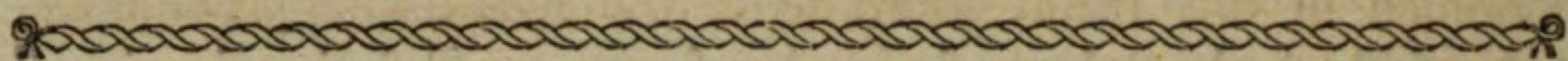
A. D.
 1569.
 Chap. 1.

By occasion whereof no establishments or provisions can be con-
 cluded by the bodie of your Majesties Parliament being assembled,
 but such onely as have been before their assembly certified unto your
 Highnesse, and affirmed by the same; and so the most grievous fores
 of this your Highnesse common wealth, which are best known to
 such, as are and shall be appointed to be of that high court, and most
 felt by them, cannot be conveniently reformed, as having not been
 before certified to your Highnesse: It may therefore please your
 Majestie of your most abundant grace, and for the princely zeale
 that your Highnesse hath ever tenderly borne unto this your poore
 realm, that it bee enacted, ordeyned, and established by your most
 excellent Majestie with the assent of us the lords spirituall and tem-
 porall and commons in this present Parliament assembled, and by
 the authoritie of the same, That all and every the acts, statutes, or-
 dinances, provision, thing and things, of what nature, name, con-
 dition, or qualitie the same shall be of, to be had, done, made, or-
 deyned, and established by the authoritie of this present Parliament,
 that shall concern the common weale of this realm, or of any pro-
 vince, territory, country, shire, member, or part thereof, or any
 good orders for represson and reformation of enormities, vices,
 and abuses, that doe or may annoy this common weale, or any part
 or member thereof, or your Highnesse subjects resiant therein, or
 the better correcting or amending of defaults that shall bee seen to
 the sayd court of Parliament meet to be reformed for the ease of your
 Highnesse subjects or the devise of wholsome ordinances for the cor-
 rection and well ordering of the life and manners of your Majesties
 people here, or the establishment of civill policie, quiet, and order
 amongst your good and loving subjects, or the augmentation of
 your Majesties revenues, or the assurance of your Majestie, your
 heyres and successours, to any lands, tenements, hereditaments, ca-
 sualties, commodities, or profits, which shall bee certified unto your
 Majestie under your great seal of this your realm of Ireland, and
 by your Highnesse allowed and consented unto, and after returned
 unto Ireland under the great seal of England; and after openly
 proclaymed in the cities and townes of Dublin, Waterford, Cork,
 Lymerick, Drogheda, and Galway, shall immediately after the said
 proclamations in form afore said made and pronounced, and not

Inconveni-
 ence thereof.

All sta-
 tutes, &c.
 of this Parlia-
 ment, con-
 cerning the
 common weal
 of this realm,
 or any part
 thereof, or re-
 formation of
 vices and a-
 buses, amend-
 ing defaults,
 well ordering
 manners, or
 establishment
 of civil policy,
 augmentation
 of the Queen's
 revenues, as-
 surance to her
 of lands, &c.
 certified un-
 der the great
 seal, and al-
 lowed and re-
 turned to Ire-
 land under
 great seal of
 England, and
 proclaimed in
 Dublin, Wa-
 terford, Cork,
 Limerick,
 Drogheda,
 and Galway,
 shall be in
 full force,
 notwithstand-
 ing 10 H. 7. 4.
 or any act to
 the contrary.

A. D. ^{1569.} before, bee good, effectually, and of full force and validitie to all purposes, intents, and constructions; the sayd act made at Drogheda, or any other act or acts, constitution, use, law, prescription, or custome heretofore had, done, made, used, or continued within this realme to the contrarie of this present ordinance or establishment in any wise notwithstanding.



The elevenith Year of Elizabeth. Sess. 3.

Stat', Ordination' & Act' Parliam' præd. apud Dublin præd. vicesimo tertio die ejusdem mensis Februar. Anno undecimo Regni prædictæ dominæ Reginæ, cora præfato deputato similiter tento edita in hæc verba.

C H A P. I.

An Act for the Attainder of Shane Oneile, and the Extinguishment of the name of Oneile, and the entitling of the Queen's Majestie, her Heyres and Successours, to the country of Tyrone, and to other Countries and Territories in Ulster. Rot. Parl. cap. 9.

W H E N we consider, our most intirely beloved and no lesse dread Sovereign lady and princeesse, the loving mind and daily charges, which you incessantly spare not to imploy both for the advancement of this your realme of Ireland, and the suertie and profite of us your faithfull and obedient subjects of the same, wee cannot nor ought, except we would be noted to the world for ingrate and unnaturall people to your royall person, being our supream head and defendor, but studie, devise, and invent all the best wayes and means, we can possible, both to increase your kingly estate over us, and also help to uphold and maintaine with the rampier of our carcasses, and consumption of our goods: and as the glory of Kings doe not onelie consist in high bloud or haute progenie, abundance of private riches and substance, wherewith your Majestie is on every way plentifully adorned, but also the greatest magnificence of a prince resteth in populous, rich, and well governed regions, wealthy subjects, and beautifull cities and townes, of which themperiall crowne of England have ben before this time conveniently furnished within this realm of Ireland, untill through the iniquitie of times such, as yet remaine, were impaired, and the rest utterly lost; but now thanks be unto Almighty God, thone well amended, and the seates, signes, plattes, and places of thother recontinued to the quiet possession of your most excellent Majesty,

5

aswell

aswell by the death and finall destruction of that caitife and miserable reble Shane Oneile, as also by other godly and careful trade of government, used by your Majesties deputie Sir Henry Sidney, which rebell, to the perpetuall damage and infamy of his name and lineage, refusing the name of a subject, and taking upon him as it were the office of a prince, hath proudly, arrogantly, and by high and perillous practises enterprised great sturres, insurrections, rebellions, and horrible treasons against your royall Majestie your crown and dignitie, imagining and compassing thereby to deprive your Highnesse, your heires and succeffors, from the reall and actuall possession of this your Majesties kingdom of Ireland, your true, just, and auncient inheritance to you by fundrie discents, and authentike strong titles rightfully and lawfully devoluted, as to the very indubitate and lawful heire thereof by pretext of keeping to him and his surname the dominion and territories of Ulster, unjustly claimed as their soile and ancient inheritance, being the fift and one of the largest partes of this your realm, and standing in the most perillous place of the same; and forasmuch, most gracious soveraign lady, as for the manifold heynous offences committed by the said traytour and his confederats, our intent and earnest desire is to intitle your Majestie, your heires and succeffours, by Parliament, to the dominion and territories of Ulster, as a foundation layd for your Highnesse to plant and dispose the same for increasng of your revenue, strengthening of us, and confirmation of this your realm, wee think it not unnecessarie first to open unto your Majestie and your nobilitie of England, by this our humble supplication addressed unto your most princely estate, the fall and trayterous attempt of that archrebell and arrant traytor, as an introduction to so great and good a purpose, to the intent that like as wee your people are replenished with incredible joy and gladness for being delivered from the perill of so great and cruell a tyrant, so your Majestie would vouchsafe to expresse your just deserved indignation by matter of record against the bloud, progeny and lineage of so vile, abhominable, and sedifious person. And therefore to begin, it may please your Majestie to understand, that after that your most famous father, King Henry the eighth, hath upon the humble submission of the late Coun Oneyle, father to the said traytour, created the said Coun earle of Tyrone, and his soone Matthew Oneyle, baron of Dungannon, the remainder of the said earldome, to the said baron and his heires males of his bodie, lawfully begotten, the said Shane Oneyle of prentenced malice, to prevent that English creation and order of succession, did falsly and tryterously, in his said father's life time, murder the said baron, being a faithfull subject to the crown of England, and after the decease of his said father, usurped and tooke upon him the name of Oneyle, with the whole superiority, rule and govern-

A. D.
1569.
Chap. 1.

Rebellion of
Shane Oneile,

Who unjustly claimed
Ulster, the
fifth part of
this realm,
standing in
the most perillous place
thereof.

Shane O-
neil's traiterous
attempt
set forth.

Conn :
Oneil. father
of Shane, up-
on his sub-
mission, creat-
ed by K. H. 8.
earl of Ty-
rone,

his son Ma-
thew, baron
of Dungan-
non, remain-
der of the
earldom to
him and his
heirs male of
his body.

Shane, to
prevent that

A. D.
1569.
Chap. 1.

English crea-
tion and suc-
cession, mur-
dered the said
baron,

and after
his father's
decease u-
surped the
name of O-
neil, with the
rule of all
Ulster, ac-
cording to
Irish custom,

in the be-
ginning of the
Queen's
reign levied
war on her
subjects, en-
tered O

Reyle's coun-
try, and took
hostages from
him,
took prisoner
O'Donnel,
and possession
of his coun-
try, fortified
a strong
island in Ty-
rone.

His cruelties.

Proclamati-
on of Sir H.
Sidney, lord
deputy.

Shane's diffi-
mulation and
hypocrisy,
obtains par-
don upon
promise of
obedience.

his petiti-
ons by the
dean of Ar-
magh grant-

ance of all the lords and captains of Ulster, according to the Irish custome, in scorn of that English creation, and so proceeded on with tyrannie, oppression and disobedience, untill he openly and publicly, in the beginning of your Majesties raigne, levied sharpe and cruell warre against your Majestie, depopulating, killing, robbing and spoyling of us, your faithfull and obedient subjects, within this your realm of Ireland; hee entered first into Oreyles countrie, and took hostages of him to be his man, and at his commaundement, and after that made a roode in Tirconile, and there by treachery and falshood took Odonill, a faithfull subject to your Majestie, his wife, and his soone and heire prisoners, and so cruelly handled the said Odonil, that through duresse of imprisonment, hee was compelled to yeeld up into his hands, his holdes and castels, his plate and all his substance, and then putting him at libertie, deteyned still the sonne in captivitie, and the wife he kept in carnall knowledge: Thus having Odonils countrey and people at commaundement, hee began to fortifie a strong island in Tyrone, which for the strength and force of the place, hee caused to bee called in despite Fooghnegall, which is as much to say as, the hate of Englishmen. And further for manifestation of this rancour and cancred heart to that nation, hee cruelly hanged one of his country by the feet, onely upon bare suspicion that he should be a spie for Englishmen, another he hanged because he was found with English bisket about him, the third being one of the captaines of your Majesties galloglassses, named Fardorogh Mac Donill, falling infortunatly into his hands, hee so crushed by torture and duresse of binding, that he brack his backe bone, and so ended his life miserably. And albeit that these and other the actions and doing of the said Shane Oneyle, hath been sithence that time, so manifest, rebellious, and trayterous against your most excellent Majestie, your estate, crown and dignitie, as each member of this commonwealth and kingdome hath well felt the same, by his arrogant, undutifull and trayterous attempts, untill the arrivall of Sir Henry Sidney, your Majesties deputie of this realm; yet for the more evident declaration of your Majesties clemencie, and of his unnaturall, ingrate and detestable conspiracies and treason, the said lord deputy, with the advise of the councill heere, hath thought good to publish and denounce by proclamation, what hope your Highnesse had of his dutifullnesse and conformity, and how worthily his deserts hath heaped upon him your Highnesse utter indignation, correction and incurable displeasure, and namely, sithence the said lord deputie accepted the deputation and government of this kingdome, before which time his dissimulation and hypocrisie was such, as in humble and repentant manner, he promised his loyaltie and faithfull obedience with such subjection heereafter, as he obtained at your Majesties hands, not onely peace, but pardon to his offences against your Highnesse and your crowne, and after that exhibiting certaine petitions

titions in England by the dean of Armagh, the same deane was returned with letters from your Majestie to the said lord deputie, wherein the most part of his demaunds were yeelded unto conditionally, that it mighte appeare to the world, that he ment faithfully, effectually and truly to observe and performe his humble and loyall promise, which being dissimuled till the first of May, which was in the year of our God a thousand five hundred threescore and fixe, at which time he craved a meeting and conference in the confines besides Dondalke: the said lord deputie and councell both for his benefite and the quiete estate of this countrey repayed thether, and there continued the space of five dayes, where in all that space he could not be perswaded or allured by his friends either to repaire to the said lord deputie according to his bounden dutie, or to meete in convenient place, where by speech and conference his loyaltie and good meaning (if there had been any) might have been witnessed and dissiphered by the said lord deputy and councell, and by them for his benefite pronounced to your Highnesse: at his returne from thence the malice of his traytors heart waxing as it were to a ripenesse, and not any longer able to bee conteyned, repressed, or hidden in it selfe, he hath not onely ruined, broken down, and defaced the metropolitane church of Armagh in the countie of Ulster most unnaturally, irreligiously, and contemptuously, but also hath raised divers holds, fortes, houses, and castels within the same countie, deteyning and imprisoning your Majesties good and obedient subjects without any cause of offence offered, and besides invaded the countrey of Fermanagh, and from thence expelled Mac Gwire, your Majesties good and faithfull subject, exempted from all rule and authoritie of Oneyl, and his auncestors, as may appeare by sufficient testimonie. And when after these tyrannous, felonious, and traitterous attempts he urged again a Parliament and meeting the five and twentieth of July in the yeare aforesaid, professing by the humilitie of his letters as though he had been glad of peace and tranquillitie, forasmuch as the lord deputie and councell were truly advertised, that he repaired to the confines in warlike manner with all the force and power he was able to make, it was thought meet, that a convenient force to resist his invasions should at that day bee assembled at Dondalke aforesaid: and albeit that by the space of two daies the said lord deputie remained in the frontiers of Ulster, readie to heare any request that he should humbly have offered, yet hee not onely refused to repaire unto him, or to send any man instructed in his griefes, but caused his people to begin warre and skirmish contrary to his oath and dutie of a subject; and after such time as the said lord deputie had dispersed his force for the commoditie and ease of the people, the same Oneyl hath with banners displayed, as an open enemy, traitor, and rebell entered into the English pale, and with fire and sword wasted part of

A. D.
1569.
Chap. 1.

ed upon condition to observe his promises.

1st of May
1566 craved a meeting with the deputy, and refused to repair to him.

Defaced the church of Armagh, raised forts in Ulster, imprisoned the Queen's subjects,

invaded Fermanagh and expelled Mc. Guire.

Required a second meeting, professing humility, came in a warlike manner, and again refused.

After the deputy disbanded his forces, entered the pale, wasted the country, &c. and besieged Dondalk, where repulsed with loss.

A. D. 1569. Chap. 1. the country, and flew of your Majesties subjectes; and lastly hath besieged Dondalke, where the pride and treason of his arrogant rebellious minde was justly scourged by God, and the valiante defence of the soldiers and inhabitants, where he lost no small number, with their captaines, ensignes, and leaders. And for a further declaration of the malice of this traytor it is evident, that hee hath practised with foraine princes to bring into this realm a power of strangers to the disherison of your Majestie, and the utter ruine and spoyle of this your Highnesse countrey and people; as most manifestly appeareth by his owne letters addressed as well to Princes as to fundre other forraigne potentates, politikely intercepted by the said lord deputie, shewed unto us, and after, as wee are informed, to your most excellent Majestie: for all which causes the said lord deputie and council did pronounce him a rebell, and most unnaturall, vile, and corrupt traytour to your Highnesse, your crown and dignitie, to bee prosecuted as the lothsomnes of his treason and rebellion deserved at your Majesties hands, with all his confederates, maintayners, and partakers, except such as before a certaine day then limited should personally come and submit themselves to the said lord deputie to receive your Majesties pardon, with such conditions for the assurance of their fidelities hereafter as to him should seeme good.

He and his confederates, except such as submitted, proclaimed traitors by the deputy, brought the whole North into subjection, his practices in Connaught and Munster.

And the said traytour, having by this effrenable meanes growen to great power and force, did bring the whole north of Ireland in subjection to him and under his rule, wherein he had a scope of a hundred and twentie miles long, and a hundred and odde miles broade, to runne and Rome himselfe; and then beganne to put in a foote in Connaght, and to procure friendship in the province of Mounster, by his secret letters and messengers sent to the greatest potentate there, exciting him to rayse warre and rebellion in that end of the realm, to the intent that your Majesties army here might not wholly attend to his resistance in the sharpe and daily inventions by him attempted to burn, kill, spoyle, and destroy us, your Majesties faithfull subjects within the English pale of this your realm: and although he was denied of that request, yet that intreatie together with the greatnesse of the intreator did incourage many lewd persons in those parts to live in great disorder, and apt to runne to armour by his prosperity. Thus this pernicious rebell, in whom the wicked of this realm had reposed their whole trust of libertie, to rove and live at randan, continued in his pride and tyrannicall ruffling, untill by the diligent ministry, actuall warre, and the politique persecutions of your Majesties painefull, prudent, and well disposed deputie, Sir Henry Sidney, knight of your honourable order, a man most fit for the reservation of this your realm, and of us your faithfull subjects, in that respect so truly beloved as hee, hath not lacke of our hearts and willing mindes both to serve and contribute for the advancement of this commonwealth, whereon we see and

feele

Commen-
dation of Sir
H. Sidney,
to whom
Shane was
determined
to come dis-
guised,

feeble his eie continually fixed, who, losing no time nor slugging one hour, hath so actually followed the warre, that from first to last there were of the said traytors men slaine and drowned to the number of three thousand five hundred persons or thereabouts, himselfe discomfited and put to sundry flights, his wings daily pulled awaye, his passages stopt, and his places of his refuge by good foresight so anticipated, as he was driven to such straightnesse and extreem exigent, that the second day of June a thousand five hundred threescore and seven feeling himselfe all weakened, and beholding his declination and fall neer at hand, avowed and fully determined to come in disguised manner, for fear of intercepting, with a collar about his neck, to the presence of the said lord deputie, and to submit himselfe as a most wretched man, hoping by that order of humilitie to have founde some mercie and grace at your Majesties hands, until he was staied against his will by such as pretended to bee his trustiest friends, and in especial by the perswasion of a barbarous clerk, named Neyll Mac Kever, whom hee had in most reputation, and used for his secretery, by whose counsell the said rebell was drawen first to try and treate the friendship of the Scotts, in joyning with them for the maintayning of that his traiterous rebellion; which if he might not obtain, then agreed, that his first determination was the likeliest way to save his life with the losse of his lande and reputation, and thereupon took his journey towards the Scotts, who were incamped in Claneboy to the number of fixe hundred under the leading of Alexander Oge, brother to James Mac Conell, and one Mac Gilly Asspuke his nephew, sonne to Agnes Jlye, brother also to the said James, which was slaine in the late overthrow given by the said Shane Oneyle to the Scottes, and so entered the tent of the said Alexander, accompanied with Odonilles wife, whome hee kept; Swarlye Boye brother to the said Alexander, the said secretorie, and the number of fiftie horsmen, where after a few dissembled gratulatorie words used betwixt them, they fell to quaffing and drinking of wine; This Agnes Jlye's sonne, all inflamed with malice and desire of revenge for the death of his father and uncle, began to minister quarrelling talk to Oneyle, who took the same verie hot, and after some reprochfull words past betwixt them the said Gillaspuke demaunded of the secretorie, whether hee had bruted abroad, that the ladie his aunt, wife unto James Mac Conill, did offer to come out of Scotland into Ireland to marrie with Oneile, the secretorie affirmed himselfe to bee the author of that report, and said withall, that if his aunt were Queen of Scotland, shee might bee well contented to match herselfe with Oneyle, the other with that gave him the lye, and said, that the ladie, his aunt, was a woman of that honestie and reputation, as would not take him, that was the betrayer and murderer of her worthy husband. Oneyle, giving eare to the talke, began to maintayne his

A. D.
1569.
Chap. 1.

2 June, 1567,
with a collar
about his
neck, and
submit,

but restrain-
ed by his se-
cretary, who
perswaded
him to treat
with the
Scotts then
encamped at
Claneboy,

by whom he
is slain upon
a sudden
quarrel.

A. D.
1569.
Chap. 1.

His head
delivered to
the deputy 21
June 1567,
and placed on
the castle of
Dublin.

The Queen's
several anti-
ent titles, far
beyond the
Oneils and all
other of the
Irishry.

First title,

secretories quarrell, and thereupon Gillaspuke withdrew himselfe out of the tent, and came abroad amongst his men, who forthwith raised a fray, and fell to the killing of Oneiles men; and the Scotts, as people thirstie of Oneiles bloud, for requiting the slaughter of their master and kinsfolke, assembled together in a throng and thrust into the tent, where the said Oneile was, and there with their slaughter swords hewed him to pieces, slew his secretorie and all those that were with him, except a verie few which escaped by their horses. Alexander Oge, after this bouchery handling of this cruell tyrant, caused his mangled carcasse to be caried to an old ruinous church neer unto the camp, where for lack of a better shroud he was wrapt in a kerns old shirt, and there miserably interred; a fit end for such a beginning, and a funerall pompe convenient for so great a defacer of God's Temples, and a withstander of his princes lawes and regall authoritie. And after being foure dayes in earth, was taken up by William Piers, and his head sundred from his bodie was brought unto the said lord deputie to Drogheda the one and twentieth day of June a thousand five hundred three score and seven, and from thence carried unto the citie of Dublin, where it was bodied with a stake, and standeth on the top of your Majesties castle of Dublin. Thus in short space beyond the expectation of man, was this unnaturall, odious, and arrant rebell, naming himselfe sometime King of Ulster, and King of all the Irishry of this realm, and sometime their patron, protector, and defendor, by the mightie hand of God brought to confusion, and delivered into the hands of his competitores for the lands and possessions of your Majestie, and of your true and faithfull subjects of this realm. And now most deere soveraign Ladie, least that any man, which list not to seek and learn the truth, might be ledd eyther of his owne fantastickall imagination or by the sinister suggestion of others to think, that the strene or lyne of the Oneiles should or ought by prioritie of title to hold or possesse anie part of the dominion or territories of Ulster before your Majesty, your heyres and successours, we your Grace's said faithfull and obedient subjects, for avoyding of all such scruple, doubt, and erroneous conceit, doe entend here (pardon first craved of your Majestie for our tedious boldnesse) to disclose unto your Highnesse your auncient and fundry strong authentique tytles conveyed farre beyond the sayd lynage of the Oneiles and all other of the Irishrie, to the dignitie, state, title, and possession of this your grace's realm of Ireland. And therefore it may like your most excellent Majestie to bee advertised, that the auncient Chronicles of this realm, written both in the Latine, English, and Irish tongues, alledge fundry auncient titles for the Kings of England to this land of Ireland. And first, that at the beginning, afore the comming of Irishmen into the sayd land, they were dwelling in a province of Spain, called Biscan, whereof

whereof Bayon was a member, and the chief citie. And that at the said Irishmen's comming into Ireland, one King Gurmonde, sonne to the noble King Belan King of Great Britaine, which now is called England, was lord of Bayon, as many of his successours were to the time of King Henry the second, first conquerour of this realm, and therefore the Irishmen should be the King of England his people, and Ireland his land. Another title is, that at the same time that Irishmen came out of Biscay as exiled persons in sixtie ships, they met with the same King Gurmond upon the sea, at the yles of Orcades, then coming from Denmark with great victory, their captaines called Hiberus and Hermon, went to this King, and him told the cause of their comming out of Biscay, and him prayed with great instance, that he would graunt unto them, that they might inhabite some land in the West. The King at the last, by advise of his counsel, granted them Ireland to inhabit, and assigned unto them guides for the sea to bring them thither: and therefore they should and ought to bee the King of England's men. Another title is, as the clerke *Geraldus Cambrensis*, writeth at large the historie of the conquest of Ireland, by King Henry the second, your famous progenitor, how Dermot Mac Morch prince of Leinster, which is the first part of Ireland, being a tyraunt or tyraunts banished, went over the sea into Normandie, in the parts of France, to the said King Henry, and him besely besought of succour, which hee obtayned, and thereupon became liegeman to the said King Henry, through which he brought power of Englishmen into the land, and married his daughter named Eve, at Waterford, to Sir Richard Fitz Gilbert, earl of Stranguile in Wales, and to him graunted the reversion of Leinster, with the said Eve his daughter. And after that the said earl granted to the said King Henry, the citie of Dublin, with certaine cantredes of lands next to Dublin, and all the haven-townes of Leinster, to have the rest to him in quiet, with his Grace's favour. Another title is, that in the year of our Lord God, one thousand one hundred sixtie two, the aforesaid King Henry landed at the citie of Waterford, within the realm of Ireland, and there came to him Dermot King of Corke, which is of the nation of the Mac Carties, and of his own proper will became liege tributorie, for him and his kingdom, and upon that made his oath, and gave his hostages to the King. Then the King rode to Cashell, and there came to him Donalde King of Limericke, which is of the nation of the O Brenes, and became his liege, as the other did. Then came to him Donalde King of Ossorie, Mac Shaghlin King of Ophaly, and all the princes of the South of Ireland, and became his liege men as aforesaid. Then went the said King Henry to Dublin, and there came to Him O Kinnill King of Uriell, O Rowcke King of Meth, and Rothorick King of all Irishmen of the land, and of Connaght, with all the princes, and

A. D.
1569.
Chap. 1.

Second.

Third.
History by
Geraldus
Cambrensis,
Clerk.

Fourth, the
landing of K.
H. 2. to whom
all the Kings
of Ireland vo-
luntarily be-
came subject.

A. D.

1569.

Chap. 1.

H. 2. gave
Ireland to his
son John, who
came and held
the same in
person.

Fifth, decree
of the clergy
assembled at
Armagh.

Sixth, K. R.
2. came to
Ireland.

voluntary
submission of
the Irish
chiefs.

Robert Fitz
Stephen, the
first who open-
ed the way to
Ireland.

The Queen's
right corro-
borated with
recent matter
of record, and
particularly
to Ulster.

men of value of the land, and became liege subjects, and tributaries, by great oathes, for them, their Kingdomes and lordshippes, to the said King Henry, and that of their owne good wills, as it should seem, for that the chronicles make no mention of any warre or chivalrie done by the said King, all that time that he was in Ireland. And in the year of our Lord God, a thousand, a hundred, fourscore and five, he gave the land of Ireland to his youngest sonne John by name, about which time the said John came in person into Ireland, and held the same land. Another title is, that all the clergie of this realm assembled at Armagh at the time of the conquest, upon the coming over of Englishmen our forefathers, and there it was decreed and deemed by them, that through the sinne of the people of the land, by the sentence of God, the mischiefe of the conquest them befell. Another title is, that at the first coming and being of King Richard the second, in Ireland, at the citie of Dublin, and other places of the land, there came unto him, with their own good wills, O Neyl, captain of the Irishmen of Ulster, O Breene of Thomond, O Connor of Connaght, Arther Mac Morchie, captaine of Irishmen in Leinster, and all Captaines of Irishmen of Ireland, and became Liege men to the said King Richard, and to him did homage and fealty, and for the more greater suretie bound themselves in great summes of money, by divers instruments, in case they did not truely keepe and hold their allegiance in the forme aforesaid, and therefore sayeth this clerk, that from the beginning of his time, which was about three hundred, and fourscore years past, good is the King of England's title and right to the land and lordship of Ireland, and wisheth him for shame to hold the same as a thing of great price in despite of them that would say the contrarie. This Author, in a short collection of this his historie faith, that one Robert Fitz Stephen was the first man that opened the way of Ireland to the earl Stranguyle, the earl to King Henry, the King to his son John, and that greatly hee is to bee praised, that first so boldly began; and greater worthy of prayse, that after the beginning, so nobely came to execute the thing so well begun; but most of all he is to be praised that shall end the same; which prayse by God's divine prescience, is light on your Majestie, in whose happie dayes this four hundred and foure years began conquest is now ended and brought to an honourable passe, without any great effusion of bloud, but by a godly conquest, in winning of the people and the land, who now being over layed by the mightinesse of your power, and perswaded by the just and gracious dealing of your deputie here, are fatigated with warre, and begin to cry, first for your mercy, and next for your justice, to remaine as a continual flickler among them, to right and end their causes for ever. Now leaving these historicall titles, which be witnessse of time, and the meane whereby man is brought to the knowledge of antiquities, as a firme foundation layed for your Majesties good

good and sound right to this realm; we will corroborate the same with recent matter of record, verifying your Majestie's title in generaltie to the whole realm of Ireland, and in particularitie to the dominion and territories of Ulster. And therefore it is to be understood, that King Henry the second, the first conquerour of this realme, sent one John de Corbie, being a valiant knight, and a borne subject to the crowne of England, into Ulster with a power of men, who first won the citie of Downe, and after that conquered all Ulster, and brought the people of the same in due subjection to the crowne of England, and for his painefull service and worthy deedes, did hold and possesse the sayd countrey of Ulster quietly of the King of England's gift, of whose companions in armes, there remaineth at this day in Ulster, as a testimonie of that conquest, certaine stirpes of English blood, as the Savages, Yordans, Fitz Simons, Chamberlins, Bensons, Ruffels, Audeleyes, Whytes, and many others, as proprietories of large portions of land, hardly and valiantly hitherto kept by them, although with great peril and povertie: which John de Corbie died without issue, after whose death the same countries was given to Hugh de Lacy, and to his heires, who died, having issue a daughter, which daughter was married to one Redmonde de Burgo, which Burgo, after three or foure discentes, had issue a daughter, was espoused to Leonell duke of Clarence, third begotten son of your most famous progenitor King Edward the third, who likewise quietly held the same countrey of Ulster during his life, in right of his said wife, and died, having issue Phillippe his onely daughter, which was married to Edmonde Mortimer, earle of March, who long and honourably enjoyed the same country; which Edmond Mortimer had issue Roger Mortimer, earl of March, which had issue Edmond Mortimer, Anne and Ellynor, which Edmond and Ellynor died without issue. And the said Anne was married to Richard earl of Cambridge, sonne unto Edmond of Langley, duke of York, the fift begotten sonne of the said King Edward the third; which Richard had issue the famous prince Richard Plantagenet, duke of York, which had issue that noble prince King Edward the fourth, father to the vertuous Queen Elizabeth, your Majesties graundmother, united in matrimony to the high and sage Prince King Henry the seventh, your Majestie's good and gracious grandfather: during all which time the O Neyles were of no estimation, nor durst bear up head in Ulster, but lived as vassalls and obedient people to the crowne of England, untill civill warres began in the realm of England, betwixt King Richard the second, and Henry of Lancaster, sonne to John of Gaunt, by which discord, the foundation of this common-wealth began to shake; for that, that those personages of honour and reputation here withdrew themselves into England, to be occupied as they were affected in that factious time; upon whose departure the O Neyles, and

A. D.
1569.
Chap. 1.

John De
Corbie sent by
H. 2. con-
quered and
held Ulster
by gift of the
King.

Stirpes of
English blood
still remaining
there.

Upon his
death without
issue, the said
country given
to Hugh de
Lacy, who
left a daugh-
ter married to
Redmond de
Burgo.
The Queen's
title to Ulster,
by lineal des-
cent.

The Oneils
lived as vassalls
and obedient
to the crown,
till the civil
wars in Eng-
land of York
and Lancas-
ter.

A. D.
1569.
Chap. 1.

34 H. 8.
Oneil and o-
ther Irish
chiefs repair-
ed to Eng-
land, submit-
ted, and sur-
rendered their
lands, &c. to
the King.

Who sent
them back
with English
names of ho-
nour, and
possessions to
be held by
English te-
nure.

28 H. 8. 3. the
act of absen-
tees recited.

Inconveni-
encies there-
of.

other Irishrie heere, fought and took opportunitie to withdraw from their dutie of alleageance, and so to doe all that which appertained to rebellious and undutifull subjects to doe, and so discontinued uncontrolled, untill the foure and thirtieth year of the raig of your most famous and victorious father King Henry the eight, at which time O Neyle, O Breene, Mac William Bourk, and others the greatest and chiefeft captaines of the Irishrie of this realm, repaired into England to his Majestie's royal prefence, and there with all humilitie, free consent, and good will, submitted themselves unto his Grace, resigning and surrendring up unto his Highnesse hands their captainships, stiles, titles, dignities, superiorities, countries, and lands, to be ordered and disposed at his Grace's pleasure; who, like a mercifull and a bounteous Prince, accepting the same, returned them home againe, with English names of honour, great gifts and possessions, to bee holden in succession, by English tenure, of his Majestie, his heires and successours for ever. And farther, in a Parliament holden at Dublin within this realm, the eight and twentieth year of the raigne of your said most famous Father, it was enacted by an act, intituled, *The Act of absencie*; "That forasmuch as it was notorious and manifest, that this land of Ireland, being heretofore inhabited and in due obedience to the said King's most noble progenitors, who in those dayes, in the right of the crowne of England, had great possessions, rents and profites within the same land, hath principally growen into ruine, rebellion, and decay, by occasion that great dominions, lands, and possessions within the same land, aswell by the King's graunts, as by course of inheritance, descended to noblemen of the realm of Enland, and especially the lands and dominions of the earledomes in Ulster and Leinster; the conquest and winning whereof, in the beginning, not onely cost the King's said noble progenitors, and their faithfull subjects of this realm, charges inestimable, but also those to whom the said lands was given then, and many years after abiding within the said land, nobly and valiantly defended the same against all the King's enemies, and also kept the same in such tranquillitie and good order, as the King of England had due obedience of the inhabitation there, the laws obeyed, and of the revenues and regalitie were duely answered; and after the gift or discent of the said lands, possessions, and dominions to the persons aforesaid, they and their heires absented themselves out of the said land of Ireland, deniorning within the realm of England, not pondering ne regarding the preservation thereof; the townes, castels, and garri- sons appertaining unto them, fell in ruin and decay, and the English inhabitants therein, in default of defence and justice, and by compulsion of those of the Irish, were exiled, whereby the King's said progenitors lost aswell their said dominion and subjection there, as also all their revenues and profites, and their said enimies, by readopting or retayning the said lands, dominions, and possessions,

were

were elevated into great pride, power and strength, for suppressing of the residue of the King's subjects of this land, which they daily, ever since, have attempted, whereby they from time to time usurped and encroached upon the King's dominion, which hath been the principall cause of the miserable estate, wherein the land was at that present time :” and those lands and dominions, by negligence and default of the very inheritors, after this manner lost, may bee good example to your Majestie, intending by the grace of God, the reformation of the said land, to foresee and prevent that the like shall not ensue hereafter. Therefore the three estates of this realm, assembled in that present Parliament, did enact, condiscend, and agree, “ That your Majesties said most famous Father should have, hold, possesse, and enjoy, to him, his heires and successours, for ever, as in the right of the crown of England, aswell the said earldomes of Ulster and Leinster, as also all other honours, manours, lordships, castles, seignories, and other hereditaments whatsoever, to the said persons in any wise belonging or appertayning, within this your Majesties realm of Ireland.” And likewise in a Parliament holden at the said citie of Dublin within this land, in the three and thirtieth year of the raign of your said most victorious Father, it was enacted then by authoritie of the said Parliament, “ That your Majesties said most famous Father should bee King of Ireland, and that his Highnesse, his heires and successours, as Kings of the same realm, should have all kingly estate, preheminance, dignitie and superioritie over this land, and the people of the same ;” all which recent and strong title considered, together with this your Majesties late honourable eviction of the said dominion of Ulster from the usurpation of the trayterous intruder Shane O Neyle, maketh to manifest proof to the world, of your cleere, sound and unspotted titles, both to the whole body of this realm, and in particularitie to that part and member of Ulster, out of which hath like to have growen the infection and subversion of this your whole realm. And albeit, most gracious soveraign Lady, that this your present conquest atchieved, is the consummation of foure hundred foure yeares travaile in this realm, yet is there of late, to the great glorie of God, your immortall fame, and good encouragement, a greater conquest then this wrought in this your land of Ireland, which is, the abolishing and extirpation of that horrible and most detestable coyne and liverie, which was the very nurse and teat that gave suck and nutriment to all disobediences, enormities, vices, and iniquities of this realm, over foule and filthie here to be expressed, and such as did justly provoke the wrath and vengeance of Almighty God upon the people of this land, and to be feared, hath bred some perill of God's displeasure to your most noble progenitors, the Princes of England, for so long suffering of the same. By the extirmination whereof, there is, in

A. D.
1569.
Chap. 1.

Earldom of
Ulster and
Leinster vest-
ed in H. 8.

33 H. 8. 1.
made King of
Ireland.

Advantages
accruing by
the extermi-
nating Coyne
and Livery.

A. D. 1569. Chap. 1. so short a time, such an alteration of this estate happened, that where before there was every where but howling, crying, cursing, penury and famine, now is there instead thereof mirth, joy, jolitie, and blessing of your Majestie, with such plentifulnesse of graine and victualls among the people of this realm, as the like hath not been seen nor heard of within the memorie of man; all parts of the same realm so quieted, the people as it were of themselves so inclined to justice, as wee dare say, your Majesties commissioners, justices, and commaundements may have, at this day, free course throughout this your whole realm of Ireland. This is the handy worke of God, extending his great mercy and compassion upon your poore and long afflicted people of this land. This is the favour which your Majastie have found in the sight of God, to augment, strenghten, and honour your imperiall crown of England, by the thorough reformation of this your realm of Ireland now present at hand, if it please your highnesse to accept the same. This is the diligent and painfull industry of your good servant, Sir Henry Sydney, whose part wee may not leave unreported, without breach of conscience; who, laying God for his foundation, hath proceeded by the direct line of justice, according your Highnesse instruction, without corruption or respect of persons, to bring these great things to passe. And upon the humble knees of our hearts, doe render endlesse thanks to the omnipotent God, which hath thus blessed this worke in the hands of your Majestie, and your said faithfull servant, and doe most lowly and humbly beseech your most excellent Majestie, that like as to your great charges, and ours partly, according to our most bounden duty, all impediments to the reformation of this your realm, is now taken away. So it would please your Highnesse to take such fast hold thereof, as wee may bee from henceforth conserved and kept in order by due administration of justice, which is the onely way, warranted by God, to make Princes raigne prosperously, and their subjects to live in due obedience, wealth, and tranquillitie, whatsoever the thoughts or devises of men are to the contrarie. And although (most gracious sovereign Ladie) that the sayd traytor be dead and mischieved, yet by the law of the land not punished, and therefore to put such traytours in feare in time comming; We the commons of this your realm, most humbly pray your most excellent Majestie, that it may be enacted, and be it enacted by your highnesse, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That the said Shane O Neyle shall be of these treasons attainted, and that he shall forfeit unto your Majestie his goods, lands, and tenements, rents and possessions, and his blood corrupt and disabled for ever, and that he should be reputed, had, named, and declared a false traytor to your Majestie, your crowne and dignitie,

Enacting
part.
Shane Oneil
attainted.

nitie, and that all his tyrannie, acts, feates, and false opinions, shall be avoided, abated, adnulled, destroyed, and put out of remembrance for ever, as a thing purposed against God and conscience, and against your royall estate and preheminance.

A. D.
1569.
Chap. 1.

II. And forasmuch as the name of O Neyle, in the judgments of the uncivill people of this realm, doth carrie in it selfe so great a soveraigntie, as they suppose that all the lords and people of Ulster should rather live in servitude to that name, than in subjection to the crown of England: bee it therefore, by your Majestie, with the assent of the lords spiritual and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That the same name of O Neyle, with the manner and ceremonies of his creation, and all the superiorities, titles, dignities, preheminences, jurisdictions, authorities, rules, tributes, and expences, used, claymed, usurped, or taken by any O Neyle, as in right of that name, or otherwise, from the beginning, of any the lords, captaines, or people of Ulster, and all maner of offices given by the said N Neyle, shall from henceforth cease, end, determine, and be utterly abolished and extinct for ever. And that what person soever he bee that shall hereafter challeng, execute, or take upon him that name of O Neyle, or any superioritie, dignitie, preheminance and jurisdiction, authoritie, rule, tributes, or expences, used, claymed, usurped, or taken heretofore by any O Neyle, of the lords, captaines, or people of Ulster, the same shall bee deemed, adjudged, and taken high treason against your Majestie, your crown and dignitie: and the person or persons therein offending, and being thereof attainted, shall suffer and sustain such pains of death, forfeiture of lands and goods, as in cases of high treason by the laws of this realm hath been accustomed and used.

Name of
Oneile extin-
guished; with
the ceremo-
nies of his
creation.
Arrogating
thereof high
treason.

III. And for the better extirpation of that name, be it further enacted by the authority aforesaid, That all the lords, captains, and people of Ulster, shall be from henceforth severed, exempted, and cut off from all rule and authority of O Neyle, and shall onely depend upon your imperiall crowne of England, and yeeld to the same their subjection, obedience, and services for ever.

Ulster ex-
empted from
all rule of
Oneil.
depend on-
ly upon, and
yeild obedi-
ence and ser-
vice to, the
crown of
England.
Lands, &c.
of Shane's
adherents for-
feited, and
vested in the
Queen.

IV. And where diverse of the lords and captains of Ulster, as the sept of the Neyles, which possesseth the country of Claneboy, O Cahan, Mac Gwylin, the inhabitants of the Glynnnes, which hath been sometimes the baron Mifflets lands, and of late usurped by the Scots, whereof James Mac Conyll did call himselfe lord and conqueror, Mac Gynnes, O Hanlon, Hugh Mac Neile Moore; the four septes of the Mac Mahounnes, Mac Kyvan, and Mac Can, hath been at the commaundement of the said traytour Shane O Neyle, in this sharp and trayterous warre by him levied against your Majestie, your Majesties crowne and dignitie; for whose offences, be it enacted by your Highnesse, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled,

A. D. 1569. Chap. 1. and by the authoritie of the same, That your Majestie, your heyres and successors, shall have, hold, possesse, and enjoy, as in right of your imperiall crown of England, the country of Tyrone, the countrey of Claneboy, the countrey of Kryne, called O Cahans countrey, the countrey of Rowte, called Mac Gwylins countrey, the countrey and lordship of the Glennes, usurped by the Scots, the countrey of Iveagh, called Mac Gynnes countrey, the countrey of Orry, called O Hanlons countrey, the countrey of the Fues, called Hugh Mac-Neyle Mores countrey, the countries of Ferny, Ireel, Loghty, and Dartalry, called Mac Mahouns countries, the countries of the Troo, called Mac Kynaus, and the countrey of Clancanny, called Mackans countrey, and all the honours manours, castles, lands, tenements, and other hereditaments whatsoever they be, belonging or appertayning to any of the persons aforesaid, or to their kinsmen or adherents, in any of the countries and territories before specified: and that all and singular the premisses, with their appurtenances, shall be, by authoritie aforesaid, forthwith invested with the reall and actuall possession of your Majestie, your heyres and successors for ever. And now most gracious and our redoubted soveraign lady, albeit that the said lords and captains be not able to justifie themselves in the eye of the law, for the undutifull adhering to the said traytour O Neyle in the execution of his false and trayterous attempts against your Majestie, your crown and dignitie, yet having regard to his great tyranny which he used over them, and the mistrust of your Majesties earnest following the warre, to deliver them from his tyrannicall bondage, as you have most graciously and honourably done, wee must think, that rather fear, than any good devotion, moved the most part of them, to stand so long of his side, which is partly verified in that, that many of them came into your Majesties said deputie, long before the death of the said traytour, and that after his decease, Tirrelaghe Leinagh, whom the countrey had elected to be O Neyle, and all the rest of the said lords and captains, came, of their owne voluntarie accord, into the presence of your Majesties said deputie, being then in Ulster, and there, with signs and tokens of great repentance, did humbly submit themselves, their lives and lands, into your Majesties hands, craving your mercy and favour, with solemne oathes, and humble submissions in writing, never to swerve from that their professed loyaltie and fidelitie to your imperiall crown of England. And therefore we your Majesties ancient, obedient, true and faithfull subjects of this your realm of Ireland, with these your strayed and new reconciled people, fleeing now under the wings of your grace and mercy, as their onely refuge, most humbly and lowly make our humble petition unto your most excellent Majestie, that it would please the same to behold with your pitifull eyes, the long endured miserie of your said strayed people, and rather with easie remission, than with due correction, to looke unto their offences past, and not onely to extend unto them your gracious pardon of their lives, but also

But considering his great tyranny over them, and their mistrust of the Queen's following the war,

that many of them came in before the death of Oneil, and Tireelagh Leinagh afterwards, who was elected to be Oneil, and voluntarily submitted.

Petition in their favour, for pardon, and a portion of their several countries to live on by English tenure and profitable reservation.

also to have such mercifull consideration of them, as each according to his degree and good hope of deserte may receive of your most bounteous liberalitie such portions of their sayd several countries to live on by English tenure and profitable reservations, as to your Majestie shall seem good and convenient; in the distribution whereof your Highnesse said deputie is best able to inform your Majestie, as one, which by great search and travayle doth knowe the quantity of the said countreys, the nature of the soyles, the quality of the people, the diversitie of their lynages, and which of them hath best deserved your Majestie's favour to be extended in this behalfe.

V. Provided alwayes, and be it enacted, That this act, or any provision, clause, or article therein containd, shall not bee understood or interpreted to be hurtfull or prejudiciall to the most reverend father in God the archbishop of Ardmagh, or his successors; the right honourable Gerrald, earl of Kildare, or his heyres speciall or generall, or his or their assignes; the right honourable Thomas earl of Ormond and Ossory, or his heyres speciall or generall, or his or their assignes; the bishops of Downe, Clogher, and Dromore, or their successors; the dean and chapter of the blessed Trinity in Dublin, or their successors, fermours, or assignes; the deans and chapters of Ardmagh, Clogher, and Dromore, and their successors; the lord of Louth, or his heyres; Sir Nicholas Bagnoll, knight, or his heyres; Sir John Bellewe, knight, or his heyres; Christopher Darcy, esquire, or his heyres; John Travers of Ballikey, or his heyres; Richard Sedgrave of Killeglan, or his heyres; William Talbotte of Mallahyde, or his heyres; Roger Gernon of Gernonston in the county of Lowth, or his heyres; Nicholas Taffe of Ballibragan, or his heyres; Edward Dowdall of Glaspystell, or his heyres; Rowland White, or his heyres: John White of Balregan, or his heyres; John Caddell of the Nall, or his heyres; William Blackney of Richenhore, or his heyres; Christopher Russell of Lecall, or his heyres; Patrick Goughe, late of Mourne in the countie of Downe, or his heyres, feoffees, or assignes; Sir Christopher Gafney Clerk, his heyres, feoffees, or assignes; Thomas Fleming of Syddan, or his heyres; Nicholas Taffe of Rathesker, or his heyres; Manfelde, now dwelling in the countie of Waterford, or his heyres, feoffees, or assignes; or any other person or persons feyfed to the use of any the said persons, their heyres or assignes, or to any the fermours, lessees, or assignees of any the persons before named, or of any their feoffee or feoffees, or to any other person or persons, bodies politique or corporate, their heyres, assignees, or successors, or any of them, being of the meere and naturall English blood and name, that had any right, title, clayme, interest, lawfull entrie or possession in and to any the lordships, mannours, lands, tenements, or hereditaments, situate within any the countries, territories, or places mentioned, rehearsed, or speci-

A. D.
1569.
Chap. 1.

Not to pre-
judice persons
of English
blood or
name, having
any right be-
fore 20 H.8.

A. D.

1569.

fied in this act, or in and to any rights, duties, or priviledges growing or to grow of any wares, merchandises, or foreign commodities to be conveyed or brought into any the ports, havens, creekes, and other places of discharge, within any part of the said countries, territories, grounds, or places, at any time before the twentieth year of the raign of the late most famous Prince King Henry the eighth, father to you our soveraign lady; but that they and every of them shall have, enjoy, hold, possesse, and take full advantage and benefite of their severall rights, titles, claimes, interests, lawfull entries or possessions, as if this act had never bin had or made.

C H A P. II.

An Act for making of the Trinitie Term shorter, and for the Commencement thereof. Rot. Parl. cap. 10.

32 H. 8.
21 Eng.
Causes of
abbreviating
Trinity term.

There shall
be only four
common days
of return in
Trinity term.

WHERE the terme called the Trinitie terme of long time hath been and yet is used to be holden and kept in such time and seasons of the year, that by occasion thereof not onely greate perill and daunger of infection of the plague and fundry other sickenes hath happened to the Queen's Majestie's loving subjects, as well nobles as other, but also hath been and yet is a great impediment and let to a great multitude of the Queen's Highness poore subjects for provision and gathering in of the harvest, and other necessarie businesse and livings, in that season of the yeare most expedient to be exercised: the Queen's most royall Majestie, having especiall respect as well to the health as to the wealth of her people, by the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, ordeyneth, enacteth, and establissheth, That in the said Trinitie term shall be foure common dayes of return onely, and not above (that is to say) the first day of returne shall be, and be called in *crastino sanctæ Trinitatis*; the second day of return of the same terme shall be, and be called in *Octavis sanctæ Trinitatis*; the third day of returne in the said terme shall be, and be called in *Quindena sanctæ Trinitatis*; and the fourth day of return of the same term shall be and be called *a die sanctæ Trinitatis in tres septimanas*: and that the same dayes of return shall be observed and kept in all our soveraign the Queen's Majestie's high courts of record, her heyres and successours, hereafter to be holden in Dublin or other place or places within this realm of Ireland, at the assignment, appointment, or agreement of the lord's lieutenant, lord deputie, or other governour or governours of the said realm, for the time being. And that from and after the feast of Saint Michael tharchangel next comming there shall not be nor be called any daies of return in *crastino sancti Johannis Baptistæ*, *Octavis sancti Johannis Baptistæ*, nor *quindena sancti Johannis Baptistæ*, nor any of them.

II. And be it further enacted by authoritie aforefaid, That the faid term of Holy Trinitie fhall yearly for ever from the faid feaft of St. Michael the Archangell, next comming, begin the Monday next after Trinitie Sunday, whensoever it fhall happen to fall, for the keeping of the effoines, proffers, returns, and other ceremonies heretofore ufed and kept in like manner and form as in times paff hath been ufed to be done in the day of return, commonly called, *in oētabis sanctæ Trinitatis*, and that the full term of the faid Trinitie term fhall yearly for ever begin and take his commencement the Friday next after Trinity Sunday in fuch and like manner and form to all purpofes, intents, and refpects, as heretofore hath been ufed the Wednesday next after the fayd Friday; and that from and after the faid feaft of Saint Michael the Archangell, next comming, the faid fecond and third dayes of return, called, *oētabis sanctæ Trinitatis* and *quindena sanctæ Trinitatis*, fhall take their commencement and begin, as in times paff hath been ufed; and that the faid fourth day, called, *a die sanctæ Trinitatis in tres septimanas*, fhall take his commencement and begin from the faid Trinitie Sunday into three weekes then next following, and fhall have his return the fourth day, as is accustomed in other like dayes of return.

A. D.
1569.
Chap. 2.
When Trinitie term fhall begin, and every return thereof.

III. And be it further enacted by the authoritie aforefaid, That if after the faid feaft of Saint Michael tharchangel next coming any writ in any reall action come in or bee returnable into any of our faid foverain lady the Queen's courts, her heyres or fucceffors, *in oētab. sancti Hillarij*, then day fhall be given *in crastino sanctæ Trinitatis*, *in decimo quinto sancti Hillarij*, *in oētabis sanctæ Trinitatis*, if *in crastino purificac' beatæ Mariæ*, *in quind' sanctæ Trinitatis*, if *in purificac' beatæ Mariæ*, then *a die sanctæ Trinitatis in tres septimanas*. And if after the faid feaft of Saint Michael tharchangel any writ in any reall action come into any of our faid foveraign lady the Queen's courts, her heirs or fucceffors, returnable *in crastino sanctæ Trinitatis*, then day fhall be given *in crastino animar'*, if *in oētabis sanctæ Trinitatis*, *in crastino sanctæ Martini*, if *in quinden' sanctæ Trinitatis*, *in oētabis sanctæ Martini*, if *a die sanctæ Trinitatis in tres septimanas*, *in quindena sancti Martini*.

Days given in real actions.

IV. And be it further enacted by authoritie abovesaid, That if after the faid feaft of Saint Michael tharchangell next comming any writ of dower come into any our foveraign ladie the Queen's courts, her heires or fucceffors, returnable *in quindena Paschæ*, then day fhall be given *in crastino sanctæ Trinit'*, if *a die Paschæ in tres septimanas*, *in oētabis sanctæ Trinitatis*, if *a die Paschæ in unum mensem*, *in quindena sanctæ Trinitatis*, if *a die Paschæ in quinque septimanas*, or *in crastino Assentionis Domini*, then day fhall bee given into the day of *a die sanctæ Trinitatis in tres septimanas*. And if after the feaft of Saint Michael the Archangel next coming any writ of dower that come into any of our foveraign lady the Queen's courts of record, *in crastino sanctæ Trinitatis*, then day fhall bee given *in quindena sancti*

Days given in writs of Dower

A. D.

1569.

52 H. 3. 12.

All common writs and pro-
cesses, as well
personal as
mixt, shall
keep the said
returns.

The justi-
ces may at dis-
cretion assign
special days of
returns, in
cases where
special days
used to be
appointed.

The days
in assize of
*darrein pre-
sentment* and
quare impedit,
by stat. of
Marlebridge,
and the days
in attaint by
stat 5. E. 3.
shall stand in
force.

Michaelis, and that all and every other writ or writs in any reall action, which ought to have day *in octabis sancti Michaelis*, by any order of law or otherwise, that all such writ and writs shall by authoritie aforesaid have day *in quindena sancti Michaelis*, forasmuch as the said *in octabis sancti Michaelis* hath never been used within this realm to be any day of return, nor the said Michaelmas term kept or holden till the said *quindena sancti Michaelis*; and if the said writ of Dower come to any of the Queen's said courts of record, *in xv. sanctæ Trinitatis*, then to have day *a die sancti Michaelis in tres septimanas*, if *a die sanctæ Trinitatis in tres septimanas*, then *a die sancti Michaelis in unum mensem* or otherwise, as is appointed, limited and declared, by the statute of Marlebridge, the xii. chapter.

V. And bee it further enacted by authoritie aforesaid, That all common writs and processe aswell personall as mixt, which shall fortune to bee returnable in the sayd Trinitie term, shall have and keep the said returnes of *crastino sancta Trinitatis*, *octabis sanctæ Trinitatis*, *quindena sanctæ Trinitatis*, & *a die sanctæ Trinitatis in tres septimanas*, or any of them.

VI. Provided alway, and is further enacted by authority above-
said, That in such cases and processe as speciall dais having used to be appointed, assigned, or given for returning of writs and processe, it shall be lawfull for the justices of every of the Queen's said courts of record, for the time being, in all the processe by them to bee awarded to assigne and appoint speciall days of returns, as by their discretions shall be thought convenient.

VII. Provided also, and bee it further enacted by the authoritie above-
said, That the days in assize of *darrein presentment* and in plea of *quare impedit*, limited and appointed by the statute of Marlebridge, and also the days to bee given in *attaint*, limited in the statute made in the first year of the reign of the noble King Edward the third, being not contrarie to the tenour of this act, shall be holden firm and stable, and shall stand in their full force and effect.

C H A P. III.

An Act intitling the Queen's Majestie, her Heirs and Successours, to Thomas, Knight of the Valleys Lands in Mounster. Rot. Parl. cap. 11.

Tho. Fitz-
gerald the son
executed for
burnings and
divers of-
fences.

W H E R E Thomas fitz Gerad, knight of Valey, otherwise knight of Glanne, in the countie of Limericke, within the province of Munster, and Thomas his sonne and heire apparent, have committed fundry willfull murders, burnings, waft, and warlike destructions upon divers the Queen's Majestie's people within the said province, for which offences Thomas the sonne was executed by order of her Grace's laws before Sir Thomas Cusake, Knight, then her Majestie's commissioner, and other his associates in Mounster,
and

and Thomas the father was likewise indicted, arraigned, and found guiltie of and for procuring of his said sonne to commit the said burning, and stayed from execution, as in respect of a certain scruple or doubt conceived of the statute which maketh burning to be treason in this realm: neverthelesse, forasmuch as it is manifestly known in how wilfull and unlawful sort the said Thomas, knight of the Valley, hath led his life from his youth to this his decrid age, and how necessarie it is, that some ensample by his punishing bee shewed to the great men of forces in that countrey, we your Majestie's subjects humbly beseech, it may be enacted, and be it therefore enacted by the authority of this present Parliament, That our sovereign lady the Queen's Majestie, her heyres and successours, shall have all the lordships, castles, meses, lands, tenements, rents, reversions, services, advowsons of churches, woods, underwoods, milles, moores, meadowes, pastures, and all other hereditaments, commodities, and profits whatsoever, with all their rights, members, and appurtenances, whereof the said Thomas Fitz Geralde, commonly called knight of the Valley or Knight of the Glanne, and his said sonne, and eyther of them, were seysed in their owne right in fee simple or fee taile, or whereof any other person or persons were seysed to the use of them, or any of them, and their heyres, in fee simple or fee taile, in any time sithence the day of the said treason supposed to be committed by the said sonne. Saving to all and every other person and persons, bodies politique and corporate, their heyres and successours, the heyres and successours of eyther of them, other than the heyres of the said Thomas, and the heires of his sayd sonne, and other than all and every other person and persons clayming to the use of the said Thomas and his heyres, or the heires male or generall of his body, or to the use of his said sonne and his heyres, or to the use of the heyres male or generall of the said sonne his body, and other than all such as claim eschete of any of the said lands, all such right, title, interest, possession, and lawfull entree into the premisses, as they or any of them should have had before the making of this act; this present act, or any article, clause, matter, thing or things in the same to the contrarie in any wise notwithstanding.

A. D.
1569.

Thomas the father (knight of the Valley) found guilty of procuring the son to commit said burning, but execution stayed upon a doubt of the stat. which makes burning treason. But considering his unlawful life, and for take of example, all his lands, &c. vested in the Queen.

Saving right of others.

C H A P. IV.

An Act for the Preservation of Salmon Frie and Ele Frie. Rot. Parl. cap. 13.

FORASMUCH as great hurt and hindrance doeth daily grow to the Queen's Majestie's subjects within this realm by reason that the inhabitants of diverse cities and townes within this same adjoining neere to rivers, that doth ebbe and flow, wherein the frye of salmon, ele, and other commodious fishes are bred and nourished, doth keep herds and number of swine, and also doth use at the

A. D. 1569. Chap. 4. ebbe or low water to suffer their said swine to feed upon the strands of the said rivers, where they destroy great quantitie of salmon and ele frye, and frye of spaune of divers other good fishes, to the great

hurt and hindrance of fishing, and to the great hindrance and damage of the common-wealth: be it therefore enacted by the authoritie of this present Parliament, That from the firste day of March to the last day of September yearly no person nor persons by himselfe, or by his or their appointment, shall drive or put any swine, hogge, or pigge, upon any strand of any river or rivers within this realm to be fed or pastured thereupon in any place, where the sea doth ebbe or flow within the said river or rivers, nor in any other place or places where the sea doth usually ebbe and flow; nor that no person or persons doth permit or suffer their said swine to go or to be set to feed upon anie strand within this realm, as farre as the sea doth use to ebbe and flow; upon paine of forfeiture of the same swine, hogges, or pigges, and every of them, to such person or persons as shall or will seise upon the same hogges, swine, or pygges, or any of them; the one halfe thereof to be alwayes reserved and answered unto the Queen's Majestie, her heyres and successours, and the other halfe to be to the partie that shall seise on the same: and if any person or persons shall withstand or resist any so seising the said swine, hogges, pygges, or any one of them, that the partie so doing shall be used as a rescouffer; and that upon presentment thereof made in any of the Queen's ordinary courts, or at any sessions to be holden within this realm, or in any court of priviledged citie or borough, having jurisdiction to inquire or receive presentments, like processe shall be made upon such presentment as upon presentment of rescous, of distresse for rent at the common law; and the parties thereupon convicted shall be committed unto the ordinary gaol of that court, where he is convicted, untill he make fine to the Queen, her heyres or successours, for the said rescous, as shall be appointed by the court, where such condemnation is to be had, and untill he or they pay to the Queen and seyser of the said hogges, swine, pygges, or any of them, the value and price of the swine so rescued; the value to be appointed by the judges before whom such matter shall be proponed and adjudged; and such condemnation thereupon to be made or had as aforesaid: Saving always to all and singular bodies politique and corporate, and all lords spirituall and temporall, the moytie of the forfeitures, fines, and penalties, to grow by this act for any offence or offences to be committed against the tenour hereof, in as large and ample manner as they have or ought to have other forfeitures, fines, and penalties, by the tenours of their severall charters; and the other moytie to be unto the seisor or seisors of such swine, hogges, pygges, or any of them, as aforesaid.

From 5th March, to the last of Sept. yearly, no swine shall be put or fed upon the strand of any river or place where the sea ebbs or flows.

On pain of forfeiture to the seizer; to be divided between the Q. and him.

Against persons resisting, like processe shall upon presentment be made, as against rescuers of distresses for rent, and imprisonment upon conviction, till fine and the value of the swine paid.

Saving to others who by their charters have right to said moiety of said forfeitures.

C H A P. V.

A. D.
1569.

An Act against laying of Hemp, Flax, and lymed Hydes in any fresh Waters or Rivers. Rot. Parl. cap. 15.

PRAYEN the commons in this present Parliament assembled, that where divers persons in this realm, rather respecting their private ease, than the common utilitie and profit, as being carelesse of the common-wealth, doe in season of the year, lay into rivers, streams, brookes, and other fresh running waters, their hemp and flaxe to be watred, keeping the same there long time. And also, tanners and others doe lay likewise in the same waters, hydes with lyme bound up in them, by reason whereof the waters are so infected, as the fishes therein do die; such as are forced to drink thereof, as well man as beast are poysoned; and meates or drinkes made therewith, are perillously corrupted, to the great danger of man and beast; and that hitherto no punishment have been provided for the correction of this pernicious disorder. That it therefore be enacted and established by the Queen our Sovereign Lady, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, that no manner of person or persons, of what degree or condition soever he or she be, shall from and after the proclamation of this act be made, lay into any river, stream, brooke, or other fresh running water, any hemp or flaxe, or any hydes bound as aforesaid, to be watred and seasoned, upon pain to lose and forfeit hemp, flaxe, and hyde or hydes, so layd as afore contrarie to this act, or of the treble value of the same, the one halfe of which forfeiture to be to the Queen our Sovereign Lady, her heires and successours, and the other halfe to such as shall find or present the default, and such as shall be intitled to the said forfeiture, shall have an action of debt or detinue for the same, by writ, bill, plaint, or information, in any of the Queen's courts, in which action or suit, noessoine, protection, priviledge, nor wager of law, shall be allowed or admitted.

33 H. 8. 17.
sec. 2. Eng.
Vide 17 &
18 G. 3. c.
19. f. 4.

Hemp, flax,
or hides with
lime bound up
shall not be
watered in
any running
stream.

Forfeiture
thereof, or the
treble value.

II. And be it enacted that the justices of the peace in everie shire, citie and towne corporate, within limites of their commission and authorities, shall have power and authoritie to inquire, hear, and determine everie offence, hereafter to be done or committed contrarie to this act, as well by information, as by presentment afore them, and to make such processe upon every presentment, as they commonly doe upon indictments of trespassse.

Justices of
peace may in-
quire by in-
formation or
presentment,
as upon in-
dictments of
trespass.

III. Provided alway that this act, or any thing therein contained, be not in any wise hurtfull or prejudiciall to any lord or lords, or any other or others, bodies politique or incorporate, having liberty or liberties, or any of them, their heires or successours, for or con-

Not to pre-
judice the
lords of liber-
ties as to for-
feitures.

A. D.

1569.

cerning any of the forfeitures expressed in this act, but that they and every of them shall have, perceive, and receive the forfeitures that shall happen to bee forfeited, by the penalties herein expressed, in the same sort, manner and form, as they and every of them had, or mought have had, other forfeitures and penalties by their severall charters, liberties, graunts and titles falling, or chauncing within their severall authorities, franchises, and jurisdictions, afore the making of this present act; this act, or any thing in the same mentioned to the contrary notwithstanding.

Proclamation once every quarter in every market, and also by the justices in circuit and sessions.

IV. And to the intent that every person may have knowledge of this act, and avoyd the dangers and penalties of the same, be it enacted by the authoritie aforesaid, that all mayors, baylifes, sheriffes, and all other head officers, shall foure times in the year, that is to say, everie quarter once, make open proclamation of this present act, in every market, to be holden within their severall jurisdictions and authorities: and also that the justices of gaol deliverie, assises, and justices of peace, doe cause the same to be proclaimed in their severall circuits and sessions, before them holden.

C H A P. VI.

An Act authorising the Governor for ten Years to come, to present to the Dignities of Mounster and Connaught. Rot. Parl. cap. 16.

Expired.

Great abuse of the clergy in Munster and Connaught, in admitting unworthy persons to ecclesiastical dignities.

WH E R E the right honourable Sir Henry Sidney, knight of the honourable order, now lord deputie of Ireland, hath in his late progresse into Mounster and Connaught, found, amongst other experiences, the great abuse of the clergie there, in admitting of unworthy personages to ecclesiasticall dignities, which hath neyther lawfulness of byrth, learning, English habit, or English language, but descended of unchaste and unmarried abbots, priors, deans, chauntors, and such like, getting into the said dignities, eyther with force, symonie, friendship, or other corrupt meanes, to the great overthrow of God's holy church, and the evill ensample of all honest congregations: Be it therefore enacted by authority of this present Parliament, that no person or persons, be from henceforth admitted or received to be dean, chauntor, chauncellor, thesaurer, or archdeacon of any cathedrall church, within Mounster and Connaught, (the cathedrall churches of Waterford, Lymericke, Corke, and Cashell, only excepted) but onely by the presentation and nomination of the lord deputy, or other governor of this realm, for the time being, during the time and space of ten years next ensuing.

No one to be admitted or received there as dean, &c. but by presentation of the deputy, &c. for 10 years, who must be in orders, of full age, read and speak English, and reside.

II. Provided always, that no person or persons, so to be nominated and presented, by the said lord deputie or governour, for the time being, to any of the dignities aforesaid, shall be hable to take any of the said dignities, except he or they be within orders, of full age, can read and speak the English tongue, and shall reside upon the same dignities. *Exp.*

C H A P. VII.

An Act for taking away Captainships, and all Exactions belonging thereunto from the Lords and Great Men of this Realm. Rot. Parl. cap. 17.

WHERE most gracious Sovereign Lady, the lords and chieftains of this your Majesties realm, hath in the time of justice declination, by pretext of defending your Majesties people, and their owne possessions, arrogated unto themselves, absolute and regall authorities within large circuites, by the distribution whereof each man had as much right as force will give him leave. And the said lords and chieftains, in drawing to them of all other inferior states, to be of their severall factions, fell to such strife for greatnesse of rule and government, as thereby the fear, obedience, and attendance of your Majesties subjects withall, that might bee by law acquired to your imperial crowne, in their regiment, was wholly converted from you to them, and yet they in not so good state of life, both for honour and revenue as their ancestors have been before that time, as appeareth by the ancient records and monuments of this realm. For remedy whereof, your said faithfull subjects, the commons of this realm, most humbly beseecheth it may be enacted by your Majestie, with the assent of the lords spirituall and temporall, and the commons of this present Parliament assembled, and by the authority of the same, that no earl, viscount, baron, lord, or pretended captain, dwelling within any the shire ground of this realm, or any of their servants or men, shall from henceforth assume, claym, challenge, use, or take upon him or them, the authoritie or name of captain or ruler of any countrey, cantrede, or territorie, being now shire ground, or hereafter to be made shire ground, except such as hath, or shall have the same by letters patents from your Majesty, or your noble progenitors, or from your heires or successours; nor shall as a captain, or by the name, colour, or custome, or authoritie of captainship, or otherwise take or exact, for the finding of him or them, their horsemen, footmen, galloglasse, kearn, hagbutters, horses, horseboyes, huntres, stodekeepers, officers, or adherents, of or upon any your Majesties subjects, any kind of exaction, impositions, taxations, cesses, or subsidies, of what nature, qualitie, or condition soever they bee. Nor shall call, as captain, gather or assemble together the people of any the said pretended countries rules and captainships, to treat, conclude, or agree for making of warre or peace, roades, journeys, granting of cesses, benevolences, finding of men of warre, or otherwise, nor shall, as a captain, lead the said people to do any act or acts offensive or invasive, without speciall authoritie under the great seal of this realm, or warrant in writing from the lord deputie, governour, or governours of the same realm, for the time

VOL. I. 4 S being,

The chieftains arrogated regal authority.

No earl, &c. shall without letters patent assume the name of captain or ruler of any shire ground.

Or make any exaction.

Or assemble or lead the people, without warrant from the governor.

A. D. 1569. being, upon pain, to every earl, viscount, baron, or lord of this realm, that shall offend in doing and committing any thing, or things contrarie to the prohibition of this statute, for every time that he shall so offend, of one hundred pounds, lawfull money of Ireland. And to every pretended captain, and other person and persons, under the degree of a baron or peere of this realm, that shall offend as afore, for every time that he shall so offend, of one hundred markes, lawfull money of Ireland: the two parts of which forfeitures to be to the Queen our Sovereign Lady, her heyres and successours, and the third part to such as shall present the same offence; and such as shall be intituled to the said forfeitures, shall have an action of debt for the same, by writ, bill, plaint, or information, in any of the Queen's courts, in which action or suit, noessoine, protection, priviledge, nor wager of law, shall be allowed or admitted.

Penalty upon a lord, 100l.
upon others 100 marks.
Two parts to the Queen; the third to such as present.

Not to restrain pursuit for goods taken, if made within 7 days.

II. Provided alway that this act, or any thing therein containd, shall not extend, nor be construed, to restrain pursuit for goods taken, so the same pursuite be made within seven days after the goods so taken.

C H A P. VIII.

An Act that there be no Bill certified into England, for the Repeal or Suspending of the Statute, past in Poynings Time, before the same Bill be first agreed on, in a Session of a Parliament holden in this Realm, by the greater Number of the Lords and Commons. Rot. Parl. cap. 18.

Poynings
stat. 10 H. 7.
4. having
been repealed,
11 Eliz. 1
Sess. 2. from
experiment
of, and confidence in Sir
H. Sidney,
lord deputy,
that he would
not seek to
pass any act,
but such as
tended to benefit of the
Queen and
realm.

As before
that stat.
when governours had liberty to call
Parliament at
pleasure, acts
passed dishonourable to
the Prince,
and to hindrance of the
subject.

WHERE upon experiment of the right honourable Sir Henry Sidney, knight of the noble order of the garter, lord president of Wales, and lord deputie of this your Majesties realm of Ireland, his great travail and care for the advancement of the glory of God, your Majesties honour, and the utilitie of the commonwealth of this your Highnesse realm, and an undoubted hope, that his lordship would not seeke the passing of any act, but such as should tend to the furtherance of your Majesties service, and benefite of your Highnesse realm. Wee your Majesties subjects assembled in Parliament, assented to the repeal of a statute, passed before Sir Edward Poynings, lord deputie of Ireland, prohibiting eyther any Parliament to be summoned, or any act to be treated of in Parliament, before the acts were certified under the great seal of this your Majesties realm, and returned hither under the broad seal of England; before which statute, when libertie was given to the governours under your Majesties progenitors, to call Parliament at their pleasure, acts passed as well to the dishonour of the Prince, as to the hinderance of their subjects, the remembrance whereof would indeed have stayed us from condiscending to the repeal of the said statute, were it not that

the

the government of your Majesties deputie, hath been alway, and continueth such as to all your Highnesse subjects, giveth just cause to reckon what proceedeth through his motion to your Highnesse, to be ment onely for the honour of your Majestie, and the common benefit of this your realm, and therefore as we mought safely, so did we willingly agree to the repeal of the said statute; but most gracious Sovereign, fearing that some governours hereafter should hap not to make answere unto the expectation of your Majestie, or your Highnesse heyres and successeurs, by whom hee should be appointed governour, and not following the example of your Highnesse deputy, at these presents, will upon affection, or some other respect, abuse the like libertie given him. Wee your Majesties subjects now assembled in Parliament, do most humbly beseech your Highness, that it may please the same, that it may be enacted. And be it enacted, ordained and established, by your Majestie, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That hereafter in the government of any other deputie or governour, of this your Majesties realm, there be no bill certified into England for the repeal, or suspending of the said statute, passed when Sir Edward Poynings was lord deputie of Ireland, before the same bill be first agreed on, in a session of Parliament to bee holden within this realm, by the more number of the lords assembled in parliament, and the greater number of the common house. And if there be that any act passed or to be passed thereupon, touching the repeal, or suspending of the said statute, passed in Sir Edward Poynings government, to be utterly void, and of no effect, to all purposes and intents.

A. D.
1569.

Least governours hereafter should not follow example of Sir H. Sidney, but upon affection, or other respect, abuse the like liberty.

Hereafter no bill shall be certified to England for repeal or suspending Poynings stat. unless first agreed to by a majority of each House of Parliament.

Any act passed, or to be passed thereupon, touching the repeal of suspending said stat. shall be utterly void.

C H A P. IX.

An Act for turning of Countries that be not yet Shire Grounds into Shire Grounds. Rot. Parl. cap. 19.

WH E R E divers and fundrie robberies, murders, felonies, and other haynous offences bee daily committed and done within the fundrie countries, territories, cantreds, townes and villages of this realm, being no shire ground, to the great losse both of the Queen's Majesties, and of divers and fundrie her Highnesse true subjects of this realm, and to the boldening and encouraging of many offendours by reason of the same countries, territories, cantredes, townes and villages, bee not made shire grounds, for remedie whereof, and to the intent that her Majesties lawes may have free course in and through out this whole realm of Ireland; it is enacted by our soveraign ladie the Queen's Majesty, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie

3 and 4 P. and M. 3. Ir. Divers offences committed in countries not shire ground.

For remedie thereof, and that the lawes may have free course thro' the whole realm.

A. D.
1569.
Chap. 9.

The chancellor may direct commissions to such number of persons as the governor under warrant shall think fit, to survey, divide, join, &c. lands, &c. not shire ground, or where doubtful of what shire they are parcel.

The commissioners shall certify the same to the governor, who approving thereof shall certify the same into chancery, to remain of record.

Certificate to be of same force as by act of Parliament. In new shires, there shall be such officers as in other shires. Not to prejudice the liberties of Tipperary or Kerry.

Nor the franchises or liberties granted to others by letters patent.

ritie of the same, That after the prorogation or dissolution of this present Parliament, the lord chauncellour or keeper of the great seal of this realm for the time being, shall have full power and authoritie by virtue of this Act, to award and direct the Queen's Majesties, her heires and successours, commission or severall commissions under her or their great seal of this realm, from time to time, to such number of persons as shall bee warrant under the lord deputie, governour or governours of this realm, his hand for the time being, bee thought most convenient and meet, giving thereby full power and authoritie to the said commissioners by authoritie of the said commission, or severall commissions, to view, survey, and make enquire, aswell of all the countries, territories, cantreds, townes and villages of this realm, now being no shire ground, or of any part or portion of the same; as also of all such territories, portions of lands, cantreds, or hundreds, as are in shire ground, and doubtfull of what shire they are parcell; or of any part or portion of the same: and upon view, survey, and inquiry, to limit, make, nominate, devide, joyn, adde, or sever, by certain limits and bounds, the same countries, territories, cantreds, portions of lands, hundreds, townes and villages, and every or any part or portion of the same, into such, and as many severall counties, shires and hundreds, and or with any shire or shires, countie or hundred, alreadie shire ground, as to the said commissioners shall be thought most meet and convenient: and after that they have made such survey inquire and devision of the said counties, shires, territories, cantredes, portions of land, hundreds, townes, and villages as is aforesaid, the said commissioners shall certifie the same unto the said lord deputie, governour or governours of this realm, for the time being, who liking the said certificate, shall under his or their hand and seal, and under the hands and seals of the said commissioners, return and certifie their doings therein, together with the said commission or commissions, into the high court of Chancery of this realm, before such feast or time as by the said commission or commissions shall be to them limited and appointed, to the intent the same may there remain of record.

II. And be it enacted by authoritie of this present Parliament, That the same certificate so made shall be of the same force and effect to all intents, as if every thing therein containd were done and made by act of Parliament. And that in every of the said shires so newly to be made and certified, there shall be a sheriffe, coroners, escheator, clerke of the market, justice of peace, and of gaol delivery, chief sergeant and other officers and ministers, according as in other shires have been, or is used and accustomed.

III. Provided alway, and be it enacted by authoritie aforesaid, that this act, or any thing therein contained, shall not extend to be construed to abridge or take away any part or parcell of the liberties of Tipperarie or Kerie, or of any of them, but that the
lords

lords of the said liberties, and every of them, may and shall have and enjoy their said liberties throughout the said whole shires of Tipperarie and Kery according to their severall graunts, severally made unto them of the same liberties; this act or any thing therein conteyned to the contrary notwithstanding.

IV. Provided also, and be it enacted by the said authoritie, That this act nor any thing therein shall not extend or be construed to be prejudiciall or hurtfull to the archbishop of Ardmagh, or his successours, the archbishop of Dublin or his successours, or to any other lord or lords spirituall or temporall, or to any other person or persons bodies politique or corporate, their heires or successours, or to the heires or successours of any of them, for any franchises or liberties granted unto them, or any of them, by letters patents from the Queen's Majestie or any of her most noble progenitors or predeceffours; but that they and every of them may and shall have and enjoy their severall liberties and franchises according to the tenours of their severall grants; this act or any thing therein conteyned to the contrarie notwithstanding.

A. D.
1569.

Saving for
franchises,
&c.

C H A P. X.

An Act for the Staying of Wool, Flocks, Tallow, and other Necessaries within this Realm. Rot. Parl. cap. 20.

FOR that that diverse the commodities of this realm are carried and transported out of the same by fundrie private covetouse persons to the great hurt and damage thereof; and also for that such persons use, as well by stealing, as by open conveying of the same, as well by license as without license, to answer small or no custom at all for them, whereby the Queen's Majesties customes and revenues are greatly lessened and diminished within this realm: and to the intent also, That the Queen's Majesties customes and revenues might be increased and augmented, and that the said commodities might bee more abundantly wrought within this realm, ere they shall be transported, then presently they are, which shall set many now living idlie on work, to the great reliefe and commoditie of this realm: and also to the end that English artificers of the realm of England may be by the abundance of the said commodities within this realm allured to come into the same to work them within this realm, and thereby to give ensample to others to use that trade to the great commoditie and profit of this realm: For remedie whereof, at the humble petition of the whole commons of this realm, be it enacted by our soveraign lady, the Queen's Highnesse, by the assent of the lords spirituall and temporall, and the commons in this Parliament assembled, and by authoritie of the same, that whatsoever person or persons shall from or after the last day of September, which shall be in the year of

13 H. 8. 2.
28 H. 8. 17.
13 Eliz. 2.

Transporting the commodities of the realm to the damage thereof.

The Queen's customs and revenues lessened.

To increase the same, and that said commodities may be more abundantly wrought within the realm, and English artificers allured to come and work them.

Persons loading any ship, &c. with wool, flocks, beef, &c. with intent to transport the same shall pay custom to the Queen,

A. D. 1569. Chap. 10. our lord God, 1569, put, carrie, or load into any ship, bark, pickard, boat, or other vessell, any wooll, flockes, flaxe, linen yarne, woollen yarne, sheepfell, calfefell, goatfell, redd deerfell, or fallow deerfell unwrought, beefe, tallow, waxe, or butter, to the intent to carrie the same out of this realm, shall pay for the same to the Queen's Majestie, her heyres and successeurs, for custome for the same as hereafter ensueth, *videlicet*, for every such stone of wooll and flockes five shillings sterling; and for every such pound of flaxe, linnen yarne, and woollen yarne, twelve pence sterling; and for everie such sheepfell, calfefell, and goatfell, foure pence sterling; and for every redd deerfell two shillings six pence sterling; and for every fallow deerfell twentie pence sterling; and for every such pound of beef uncasked, or put in any other vessell than is containd in this act, a penny sterling; and for every such firken of beefe five shillings sterling; and for every such halfe barrell of beefe ten shillings sterling; and for every such barrell of beefe twentie shillings sterling; and for every such hogthead of beefe fortie shillings sterling; and for every such pype of beefe four pounds sterling; and for everie such stone of tallow two shillings sterling; and for every such pound of waxe twelve pence sterling; and for every such pound of butter six pence sterling: and shall also pay by way of custome unto every such citie or town corporate, from whence the foresaid wares, victualles, and other things before mentioned, are to be transported, imbarcked, and carried away as aforesaid, to the use of the said citie or corporate towne and corporation of the same, the custome also ensuing, that is to say, for every such stone of woolle and flockes, foure shillings currant money of England; and for every such pound of flaxe, linnen yarne, and woollen yarne, eight pence sterling money of England; and for every such sheepfell, calfefell, and goatfell four pence, currant money of England; and for every red deerfell twentie pence, currant money of England; and for every such fallow deerfell eighteen pence, currant money of England; and for every such pound of beefe uncasked, or put in any other vessell than is conteyned in this act, one penny, currant money for England; and for every such firkin of beefe four shillings, currant money of England; and for every such halfe barrel of beefe fixe shillings eight pence, currant money of England; and for every such barrell of beefe thirteen shillings four pence currant money of England; and for every such hogthead of beef fixe and twentie shillings eight pence, currant money of England; and for every such pipe of beefe three pounds, currant money of England; and for every such stone of tallow eighteen pence currant money of England; and for every such pound of waxe fixe pence sterling; and for every such pound of butter four pence, currant money of England; and shall also forfeit for every such stone of wooll or flockes five shillings sterling;

And custome to the city or corporate town, from whence, &c. to the use of the same.

ling; and for every such pound of flaxe, linnen yarn, and woollen yarn, twelve pence sterling; and for every such sheepfell, calfefell, and goatfell, four pence sterling; and for every redd deerfell two shillings six pence sterling; and for every fallow deerfell twenty pence sterling; and for every such pound of beefe a penny sterling; and for every such firken of beefe five shillings sterling; and for every such halfe barrell of beefe ten shillings sterling; and for every such barrell of beefe twentie shillings sterling; and for every such hoghead of beefe fortie shilling sterling; and for every such pype of beefe four pound sterling; and for every such stone of tallow two shillings sterling; and for every such pound of waxe twelve pence sterling; and for every such pound of butter fixe pence sterling; and for every such forfeiture to be to him or them that will sue therefore by action of debt, by writ at the common law or plaint in any court of record within this said realm; or by information in the Queen's exchequer within this said realm; in which action the defendant shall not wage his law, ne none essoign or protection shall be allowable for the defendant or defendants.

A. D.
1569.
Chap. 10.
And also forfeit such sums &c.

The forfeiture to those who will sue.

II. And be it further enacted by authoritie aforesaid, that if the owner, purser, or any other officer or master of any shipp, barque, pyckard, boat, or other vessell, in which any wooll, flockes, flaxe, linnen yarn, wollen yarn, sheepfell, calfefell, goatfell, redde deerfell, or fallow deerfell, unwrought, beefe, tallow, waxe, or butter shall be imbarqued or put, doe permit or suffer from the last day of September next coming, any person or persons to imbarque or put aboard or bring into any his the owners shipp, barque, pyckard, boat, or other vessell, or other his the owners vessell, any parcell pr parcells of the premisses before the Queen's Majestie, her heyres or successeurs, is custome for the same be truely answered and payed in this realm, and before payment and satisfaction of the custome and customes aforesaid due unto the said citie or corporate towne and corporation aforesaid, as in this act before is alledged, that then every such shipp, barque, pyckard, boat, or other vessell shall be forfeited; the one halfe of the same to our soveraigne Lady the Queen's Majestie, her heyres and successeurs, and the other halfe to such person or persons as shall present or informe the same before the barons of the Exchequer for the time being in the said realm, and that within twelve weekes after the said forfeiture.

The vessel in which, &c. shall be forfeited: half to the Queen, half to such as present or inform before the barons, within 12 weeks after forfeiture.

III. And it is further enacted by authoritie aforesaid, that the fercher, his deputie, factor, or attorney of any port, haven, or creek within this realm, where any such wooll, flockes, flaxe, linnen yarn, woollen yarn, sheepfell, calfefell, or goatfell, red deerfell, and fallow deerfell unwrought, beef, tallow, waxe, or butter, shall after the said first day of September next comming be put, carried, or loaden in any ship, barke, pyckard, boate, or

Felony in the searcher or his deputy, knowing and concealing the same twelve weeks, and suffer

A. D. 1569. Chap. 10. death and forfeiture of goods only. other vessell, knowing the same to be so put, carried, or loaden, will conceale the same by the space of twelve weeks, next after the same bee put or loaden in any shipp, barque, pykard, boate, or other vessell, without information thereof to the barons of the Exchequer of this realm for the time being, that the same concealment in the searcher, his deputie, factor, or attorney, and every of them that so will conceal the same, putting, carrying, or loading of any the premiffes, shall be adjudged and deemed felony; for which they shall suffer pains of death, and forfeiture of goods onely.

Lords or any of the council, may take flock beds under 3 stone weight, for their passage.

Master of a vessel may ship beef and butter for the victualling for a voyage.

Offences against this act (said customs excepted) to be informed, and inquired of within 9 months.

The felony to be heard in B. R. or before justices of gaol delivery.

IV. Provided that this act extend not to any lord or lordes, prelate, or any of the Queen's Majesties privie council, to take flocke bedes under the weight of three stone with them, to use for their ease in their passage.

V. Provided that this act extend not to master, owner, or victualler of any ship, barque, or any other vessel, for shipping or transporting reasonable beefe and butter, for their reasonable victualling of him and the company in the said ship, barque, or other vessell for their present voyage from this realm.

VI. Provided also, that any offence committed or done contrary to the tenour of this act (the customes aforesaid onely excepted) be enforced and enquired of within nine moneths after the said offence done or committed; otherwise the parties so offending not to incurre the penaltie limited in this act concerning the said offences; the matters of felony to be onely enquired of in the Queen's bench, and the bench of her heyres and successours, and there heard and determined, or before such persons, justices of gaol delivery, as hereafter shall have authoritie by letters patents under the great seal of this realm to enquire, heare, and determine causes of felony according to the course of the common laws of this realm.

The eleventh Year of Elizabeth. Sess. 4.

Stat', Ordination' & Act' in Parlamento prædicto apud Dublin præd' die Lunæ prox. post festum sancti Francisc' confess. vz. x. die Anno undecimo Regni Reginae præd' coram præfato deputato similiter tento ædit' in hæc verba.

C H A P. I.

An Act giving Order for bringing in of Wines into this Realm, where they shall be discharged, who shall rate the Prices of them, and also for Graunt of a Custom out of the same Wines. Rot. Parl. cap. 2.

THE Lords spirituall and temporall, and the commons in this present Parliament assembled, considering with no small grief of mind the great lack of a navie in this realm, which is occasioned by the sluggardy idlenesse and untowardness of the merchants and traffiquers thereof, and how by that default this realm is brought to be of no abilitie or strength to defend it self against the enemies, pyrats and rovers, that doe accustomedly annoy the same, and also advisedly calling to memorie divers intollerable enormities that have followed of the disordered trade of aliens, to creeks and unhaunted ports and places of this realm, leaving the chief and principall cities, boroughs, townes, and ports of defence, whereby the same realm, hath ever been, and presently is chiefly upholden, stayed and maintained to the great losse of the Queen's Majesties customs due of their charge and loading, for lack of order in such places for the receipt thereof; understanding also the pitifull and rufull minishing of the Queen's Majesties revenues in this realm, together with the innumerable charges that her Highnesse hath been and daily is at, by exhausting her princely treasure for the defence and good reduction to civilitie of this realm, and weying by long experience, how that by the superfluous abundance of wines that are yearly discharged within this realm, grievous decay of tyllage and husbandrie, idleness the mother of all vices, rage and fury in the minds of the disordered people, and other monstrous enormities have been perniciously bread and nourished, besides the great spoyle of subjects goods that hath followed, by reason that no provision hath been hitherto made for the seal of the same wines that are so conveyed and brought into this realm, all which soares and mischiefs doe require present help, remedie and due reformation to bee had with good, prudent, and carefull provision and foresight: in consideration whereof the said lords spirituall and temporall, and the commons in this present Parliament assembled, most humbly beseechen the Queen's most royal majesty, that it may bee enacted by her Highness, and by the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, that no manner of person of what degree or condition that hee bee, being subject, denizen or alien, shall discharge any maner wines within this realm of Ireland, but onely within the havens and ports of the cities, townes and places hereafter mentioned, *videlicet*, the cities of Dublin, Waterford, Corke and Limerick, the townes and places of Drogheda, Galway, Yoghall, Carrigfergus, Wexford, Rosse in the countie of Wexford, Kingsale, Dongarvan, Dundalke, Carlingford, Sligo, and Dingle Hufey, otherwise called Dingle-Icoush, and in no other creek, port, haven, road, or place within this realm of Ireland,

A. D.
1569.

Exp.
The want of a navy, from the idleness and untowardness of the merchants.
The realm weakened thereby.

Enormities following from disordered trade.
The mischief from superfluous abundance of wines yearly discharged.

Enacting part.

Havens named, where only wines shall be discharged, in no other without licence,

A. D.

1569.

Chap. 1.

on pain of forfeiture thereof.

Half to the Queen: half to him who seizes, unless constrained by tempest or enemies, so that no sale thereof made, except for victuals or necessary repairs.

For increase of the revenue, and to stay said superfluity of wines, the Queen shall have as custom or subsidy, 40s. per tun of Spanish or Levant wines, imported in subjects vessels.

1l. 6s. 8d. for French wine.

4 marks for Spanish or Levant wine in foreign vessels.

40s. for French.

If said customs not paid, the wines landed, forfeited, half to the Queen, half to him who seizes or sues.

Lord deputy, &c. to have yearly for provision of his house 20 tun custom free.

Ireland, without the special licence of the Queen's Majestie, her heires or successours, or of the lord deputie, or other governour or governours of this realm, for the time being, to bee given and made in that behalf, upon paine to forfeit the same wines so discharged contrarie to this act, and without licence as before is specified, the one halfe thereof to the Queen's Majestie, her heyres and successours, and the other halfe to him or them that shall seise the same wine.

II. Provided alwayes that this article, braunch, or clause of this act, shall not extend to any ship or ships having any such wines, that shall bee constrained by tempest of weather, or enemies, to arrive or discharge in any other port or place within this realm, then is before appointed, or that hereafter shall, by licence as afore is said, bee appointed or warranted, so that the owners of the said wines, or any of them, or to their use make thereof no sale within this realm, other than for victuals, or repairing of the same ship or ships, or calcking thereof, which they of necessitie be compelled to make.

III. And be it further enacted and established by the authoritie aforesaid, both for the better increase, and augmentation of her Majesties revenues in this realm, and also to stay the said superfluitie of wines conveyed, that her Highnesse, her heyres and successours shall have and receive as a custome or subsidie, of every tun of Spanish or Levant wines that shall bee brought into this realm by way of merchandise, in any ship or ships, or other vessell, whereof our said soveraigne Ladie, or any of her Highnesse loyall and naturall subjects shall bee, at the time of such conveyance and bringing into this realm, verie and true owner, possessor and proprietarie, without covin, deceit, craft, or collusion, the summe of forty shillings, lawfull money of Ireland; and of every tunne of wine growen in Fraunce, Guyen, Gascoigne or Rochell, that shall come into this realm by way of merchandise, by any person, in any ship or ships, or other vessell, whereof our said soveraigne Ladie, or any of her Highnesse loyall and naturall subjects, shall be at time of such conveyance and bringing into this realm, verie and true owner, possessor, and proprietarie, without covin, deceit, craft, or collusion, the summe of twenty sixe shillings eight pence, lawfull money of Ireland; and of every tunne of Spanish or Levant wines, that shall be brought into this realm by way of merchandise, by any person in any ship or ships, or other vessell, whereof our said soveraigne Ladie, or any of her Highnesse loyall and naturall subjects, shall not bee at any time of such conveyance and bringing into this realm, verie and true owner, possessor and proprietarie, without covin, deceit, craft, or collusion, the summe of four markes, lawfull money of Ireland; and of every tunne of wines growen in Fraunce, Guyen, Gascoigne, or Rochell, that shall come into this realm by way of merchandise, being brought by any person in any ship or ships, or other vessell, whereof our said soveraigne Lady, or any of her Highness loyall and naturall subjects, shall not bee at time of such conveyance and bringing into this realm, verie and true owner, possessor and proprietarie, without covin, deceit, craft or collusion, the sum of fortie shillings, lawfull money of Ireland; to be levied, taken and perceived by the customers, collectors, and other her Highness officers for receiving of custom in the portes, havens, or other places above limited, or hereafter to bee appointed for discharge in manner before recited by this act.

IV. And be it further enacted by the authoritie aforesaid, that if any wines, whereof the customes or subsidies aforesaid, or any of them shall hereafter bee due by the tenour of this act, shall at any time hereafter bee discharged and layed on land, the customes or subsidies aforesaid of the premises due by this act not payed, or the collector of the same customes or subsidies, or his deputie, with and by the consent, knowledge and agreement of the controller and surveyor, or one of them at the least not agreed with for the same in the custom-house, according to the true meaning and intent of this act. That then all the said wines, and every part and parcell thereof so layed on land, and discharged, shall bee and remain forfeit to her Majestie, her heires and successours, the one moyetie or value thereof to her Highnesse, her heires and successours, and the other moyetie to him or them that shall seise the same, or sue therefore in manner aforesaid, in which suit no wager of law, essoine or protection shall be admitted or allowed.

V. Provided alwayes, and be it enacted by the said authoritie, that the lord deputie, or other governor or governors of this realm, for the time being, shall have yearly

yearly for the provision and store of his or their house, of such wines as shall be brought and conveyed by way of merchandise into this realm, the number of twentie tunns, free and discharged of the custom or subsidie graunted by this act, and that the said lord deputy, or other governor or governors of this realm for the time being, shall also by the said authoritie have full power to grant, limit and appoint unto every peer of this realm, and unto everie of the privie counsell in the same, at his or their discretion, from time to time, such portion and quantitie of wines to be free and discharged, of and from the said custome or subsidie as he shall think to bee meet and competent for every of them after their degrees and callings to have : any thing in this act contained to the contrarie notwithstanding.

VI. And for the better order to be henceforth observed and kept in the sale of wines, by retayle or ingrosse within this realm. Be it enacted by the authoritie of this present Parliament, that the lord deputie, or other governour or governours of this realm for the time being, the lord chauncellor or keeper of the great seal of this realm, the two chiefe justices of either bench in this realm, the chauncellor and chiefe baron of the Exchequer of this realm for the time being, or five, foure, or three of them, whereof the lord deputie, or other governour or governours, or the lord chauncellor or keeper of the great seal of this realm for the time being, to be always one, shall have power and authority by their discretions, to set and rate yearly the prices of all kind of wines, that is to say, the prices of the tunne, butte, pipe, hogshead, punch-eon, tierce or rundlets, when it shall be sold in grosse, and also to set and rate yearly, the prices of wines hereafter to be sold by retayl any time within the Hillary term, and at no other time or times of the year, so that they or any of them cause the prices by them set and rated to be written, and open proclamation thereof to be made in the Queen's court of Chauncerie of this realm, openly in the terme time, and in the citie, borough, towne or place, where any such wines shall be sold in grosse or by retaile.

VII. And it is further enacted by the said authoritie, that if any person or persons after such prices shall bee set, and put in writing by the said lord deputy, or other governour or governours, lord chauncellor, or keeper of the great seale, the two chief justices, the chauncellour and chief baron of the Exchequer, or by five, foure, or three of them, and proclamation thereof made as is aforesaid, doe sell any wines in grosse, or by retayl, by any fraud or covin, contrarie to the said prices so setten and proclaymed, that then everie offendour in that behalfe, shall lose and forfeit for every time that he shall so offend, the double value of the wines so sold contrarie to the said prices, the one half of all which forfeitures to be to the Queen our soveraign Ladie, and the other half thereof, if it bee within any citie, borough or towne corporate, to be to the mayors, sheriffes, bayliffes, or other head rulers of such citie, borough or towne corporate, to the use of the corporation, and if it bee without citie, borough or town corporate, then to be to such of the Queen's subjects as will sue for the same, and that every such forfeiture shall be recovered by original writ, of debt, bill, plaint or information, in which sute no wager of law shall be admitted, nor any protection or essoine allowed.

VIII. And it is also enacted, that the justices of peace in every shire of this realm, and all mayors, bayliffes, and other head officers in cities, boroughs, and corporate towns, that is to say, every of them within the limits of their commissions and authorities, aswell, within franchises as without, shall have power and authoritie to examine, hear, enquire and determine the defaults of such as shall attempt to do any thing contrary to the tenour of this act, or to any the severall articles or branches of the same, and to punish the offenders, as the statute doth appoint and prescribe.

IX. Provided alwayes, and be it enacted by authoritie aforesaid, that this act, nor any thing therein containned, shall not extend to charge any person or persons with any penaltie or forfeiture for and concerning any offence to be done contrarie to the tenour of this act, or of any the severall articles or branches of the same, unlesse he or they so offending be sued, indicted, impeached or presented for the same, within one quarter of a year next after the same offence shall be done and committed as is aforesaid : any thing in this act containned to the contrary notwithstanding.

X. Provided alway, that this act shall not be of force and effect before that the same shall be solemnly proclaymed by the Queen's writ within the cities of Dublin,

A. D.
1569.
Chap. 1.

And may at discretion limit what every peer and privy counsellor shall have custom free.

For better order in the sale of wines by retail or in gros. Who shall rate the same,

Within Hilary term only.

Proclamation thereof to be made.

If wine sold contrary to said rate, forfeiture of double value, half to the Queen; half to the city, where, &c. to use of the corporation, if without a city, to such as will sue.

Justices of peace, mayors, &c. may within or without franchises, hear and punish offenders.

Prosecution must be within one quarter of a year.

This act not to be of force till proclaimed.

A. D.

1569.

To continue
20 years only.

Waterford, Cork, and Limerick, and within the townes of Drogheda, Galway, and Youghall, and that immediately from and after the same proclamations so made as afore, this act and every branch, article and provision thereof, shall be of full force, effect, and strength to all intents and purposes, during, and for the space, terme and time of ten years then next and immediately following, fully to be compleat and ended, and for no longer time.

XL. Provided also, that this act shall not extend to any person or persons that shall buy, or cause to be bought, any wines in any the havens, ports, or places before in this act appointed for discharge, or hereafter by licence or graunt to be appointed in manner and order before said, but that the same persons, their servants and agents, shall and may convey the wines so bought, by water and by land to his and their house or dwelling place and places within this realm: any thing in this act conteyned to the contrarie notwithstanding.

C H A P. II.

*An Act for restoring the Earl of Kildare, his Brother and Sisters,
to their Bloud. Rot. Parl. cap. 1.*

Recital of
the act of at-
tainer, 28
H. 8. 1.

IN humble wise sheweth unto your Highnesse, your faithfull and humble subjects, Gerald Fitz Gerald, now earl of Kildare, Edward Fitz Gerald, brother to the said earl, Margaret, Elizabeth, and Cicile, sisters to the said earl, whereas at a Parliament holden at Dublin, the eight and twentieth year of the reigne of your noble father, King Henry the eighth, before the lord Leonard Gray, then lord deputie of this realm, it was enacted, "That Gerald Fitz Gerald, deceased, late earl of Kildare, father to your suppliants, and Thomas Fitz Gerald, son and heir unto the said earl, and elder brother to your suppliants, should be deemed, reputed, convicted, adjudged, and attainted traytors of high treason, and should forfeit and lose the title, stile, and name of honour of earl of Kyldare, together with all the lands and hereditaments belonging unto them," by force of which act your suppliants doe stand, and are persons corrupted in their bloud and lynage, and thereby disabled to take or claime any thing by discent from their said father or brother, or from or by any other collaterall auncestour or cousen, or to make his or their pedegree by or through the said Gerald, late earl, or the said Thomas, late lord Thomas, and after the said attainer, most excellent Sovereign, your suppliant the now earl, being an infant and put in fear, travayled in the countries of straunge and forrein potentates, contrary to his naturall inclination, till hee was called home by the clemencie of that most famous prince, King Edward the sixth, your Grace's most noble brother, who not onely made him his servant, and received him to his favour, but also most bountifully restored him to the greatest part and portion of the lands belonging to his late father, and after your Grace's sister, Queen Mary, did give your suppliant the name and title of honour of earl of Kyldare, with the same preheminences, place and degree, that any of his auncestors,

cestors earls had and held the same, together with all the lands belonging to the late earl, father to your complaynants, which he had at any time during his life, other than such lands as were given away or granted by your noble father or brother, and of late your highnesse, of your princely motion, have restored your supplyant to a portion of his living, which hitherto was thought to hang in some doubt ; and forasmuch as your supplyant is not onely restored to the state of earl, but also considered with livings for the better maintenance of the same, and yet findeth in himself a great defect, for that he is not restored to his blood : Hee most humbly beseecheth your Majestie, that it may bee enacted, and bee it enacted by your highnesse with the assent of the lords spirituall and temporall and the commons in this present Parliament assembled, and by authority of the same, That your said subjects and supplyants, the said now earl, his brother, and sisters, and his and their heires, from henceforth shall be and by authoritie of this act restored to his and their auncient blood and lynage, enabled to make his and their conveyhaunces, pedegree, and title by discent lyneall or collaterall, from and by his and their said father and brother, and all other his and their auncestors, whosoever they be, in such manner and sort as though the said attainder or attainders, corruption of blood, or any other impediments to the contrarie had never been ; any law, statute, record, provision, conviction, judgment, cause, or matter whatsoever to the contrarie in any wise notwithstanding.

A. D.
1569.
Chap. 2.

Earl of Kildare, his brother and sisters restored to their blood.

.II. Provided alway, and be it enacted by authoritie aforesaid, That this act, nor any thing therein conteyned, shall not extend to make voyd and frustrate any gift, grant, lease for life or years, or any other estate of freehold or inheritance, passed and granted by your highnesse father, King Henry the eighth of famous memorie, your brother King Edward the sixth, your sister Queen Mary, Kynge Phillippe and Queen Marie, your Highnesse, or the said Geralde, now earle, and his feoffees, or the said earle, or any his feoffees, or any of them : but that all such grants, gifts, leases, and every estate of freehold and inheritance so given or made, and every of them, shall be and remain of such force and effect in law, as they bee and were before this act, and in such force and effect to all intents, purposes, and constructions, as if this act had never been had ne made ; this act or any thing therein conteyned to the contrarie in any wise notwithstanding.

Not to extend to avoid former grants by the King, &c.

III. Provided alway, and be it enacted by authoritie aforesaid, That this act, nor any thing therein conteyned, be prejudicial unto her highnesse, or in any wise to the disadvantage or advantage of the foresaid Geralde, now earle of Kildare, his brother and sisters, other than restitution of their blood and lynage, and such things as be incident and appertayning to their blood.

To extend only to the blood and lineage, not to prejudice the Queen.

The second Year of Elizabeth.

C H A P. VIII.

¶ *An Acte for Proclamation to be made, that Sir Oswald Maffingberde, Knight, late Prior of Sainte John's Jerusalem, shall make his Appearance before the Lorde Deputie and Counsaill, or els to be attainted of High Treason. Rot. Parl. cap. 9.*

A. D.
1560.

Expired.

IN their mooste humble wise beseechen your mooste excellent Majestie, youre faithfull and humble subjects, the lordes spirituall and temporall and the commons of this your realme, in this present Parliament assemblid, That wheare Sir Oswalde Maffingberde, late prior of the late priorye or hospitall of Saint John's Jerusalem in Ireland, commonlie called, the prior of Kilmayname, had latelie for weightie causes and respects straite charge and commandement, by the right honourable Sir Henry Sidney, knight, then lorde justice of this realm, upon his allegiaunce to your Majestie, that he shoulde frome daie to daie make his personall appearaunce before the same lorde justice, till he had knowen further of your Highnes pleasure; to the performance whereof for more securitie the same Sir Oswald did give his faithe and othe, and notwithstanding hath privelie and untrulie withdrawn himselfe out of this realme into forraine partes, (as is supposed,) by the which his disordered and unnaturall demeanour, together with this, that in the tyme that he dud enjoye and occupie the said late hospitall, with the lordships and commaundries thereof, he was accustomed synce the death of our late soveraigne ladie, Queen Marie, to make fundrie resorts into the Irish countries of this realme under collour of viewinge, goinge on pilgrimage, and settinge and approvinge the possessions of the said late hospitall, scituate in those countries, there is ingendered in us your highnes lovinge subjects a vehemente suspicion, that his said resorte and travaile were to compasse and practise some disloiall confederacies to the disturbaunce of this commen welth: in consideration of whiche premisses and to the end that the same suspicion may be amoved from our hartes, we canne noo lesse of our bounden dutie then move your Majestie, and therewith mooste humbly beseeche the same, that it maie please your Highnes, that it be enacted, ordeyned, established, and provided by authoritie of this Parliament, That proclamation shall be made in such place within this realm at such tymes, as to your Highnes, or to the lord deputie or other governour or governours of this realme for the tyme beinge, shall be thought meet and conveniente, that the said Sir Oswalde Maffingberde shall make his personall appearaunce before the lorde deputie, or other governour or governours of this realme for the tyme beinge, and the counsaill of this realme, within fortie daies next after such proclamation made, to aunswer as well to the premisses, as to fouche other mattiers or things, as then shall be objected unto him of your Majesties behaulfe.

II. And that it may be likewise enacted, ordeyned, and established by the said authoritie, That if the said Sir Oswalde Maffingberde shall not or do not by the ende of the said fortie daies make his personall appearance before the lorde deputie, or other governour or governours of this realme of Ireland for the tyme beinge, and the counsaile of the same, accordinge to the purporte and tenour of this acte, that then from and after the said fortie daies the said Sir Oswalde Maffingberde

Messingberde knighte shall be by the order of this presente Parliament adjudged and attaincted traytour of high treson ; and that the same Sir Oswalde Messingberde knight shall have, suffre and susteine such paines of death, as in cases of high treason hath been accustomed and used ; and alsoo, that the said Sir Oswalde Massingberde knight shall frome and after the twentie fourthe daie of August in the first yere of your Majesties reigne, forsaite and lose to your Majesty, your heires and successours, all suche castells, manours, lands, tenements meadowes, leasues, pasturs, wods, waters, rents, revercions, services, offices, fees, annuities, and all other hereditaments, as well spirituall as temporall, goodes, cattells and debts whatsoever, as the same Sir Oswalde Massingberde had enjoied, or was seised or possessed of at the twentie fourth daie of August, in the said first yere, or at any time since ; and that alsoo suche castells, manours, lands, tenements, meadowes, leasues, pasturs, wodds, watirs, rents, revercions, services, offices, fees, annuities, and all other hereditaments, as well spirituall as temporall, to be by authoritie of this presente acte, adjudged, vested, and deemed in the actuell and reall possession of your Hignes, from the said twentie fourthe daie of August, without any office or inquisition to be had or founde.

A. D.

1560.



The eleventh Year of Elizabeth. Sess. 1.

C H A P. VI.

¶ *An Acte Prohibitinge any Irishe Lorde or Captayne of this Realme, to foster to any of the Lords of the same Realm.* Rot. Parl. cap. 3.

BE it enacted by authoritie of this present Parliament, That noo lorde or captayne of the Irishe of Irelande, shall from henceforthe foster to any earle, vicounte, baron, or lorde of the said realme ; and that what Irishe lord or capitayne soever he be, that from henceforthe doethe receive or take to foster the childe *mulier* or bastarde of any of the said earles, vicountes, barons or lordes, the same shall be deemed and adjudged highe treason in the taker, and also fynable in the giver, accordinge to the taxation and discrecion of the lorde deputie, governour or governours, and counseil of this realme for the tyme beinge.

A. D.

1560.

Repealed 11, 12 and 13. J. 1. 5.

C H A P. VII.

¶ *An Act that the Acte of retayninge of Scotts shall not extende to the Governours of this Realme.* Rot. Parl. cap. 4.

WHEARE at a Parliament holden at Dublin in the first daie of June, in the thirde and fowerthe yeares of the reigns of Kynge Phillippe and your moost deare sister Queen Marie, before their right well beloved cousen and counseillour, Thomas earle of Suffex, vicount Fitz Water, lord Egremont and Burnell, one of the gentlemen of

Recital of 3 and 4. P. and M. 15. and that it shall not extend to the chief governours or persons licensed by them.

A. D.
1569.
Chap. 7.

Said act of
P. and M. re-
pealed 11. 12.
and 13. 7. 1. 6.

their privie chamber, capitayne of all the gentlemen pensioners at armes to their Majesties, in your realme of Englande, and then lorde deputie of this your Majesties said realm. It was enacted, that yf any person or persons did procure the comynge of Scotts, beyng men of warre, into this realme, or brynge into this realm Scotts, beyng men of warre, or give any Scott or Scotts, beyng within this realme, and men of warre, any wages, bonaghts, foreyne, or any outhier interteynement or hiere for their service in warre, that then fuche offence or offences shoulde be deamed and judged highe treason, as by the same acte more at lardge doeth appeare. Forasmouche as ther ys noo excepcion made in the said acte of the lorde deputie governour or governours of this realme for the time beyng; Be it therefore enacted, ordeyned and established, That the said acte, or any thing therein conteyned, shall not extende to the lorde deputie governour or governours of this realme for the tyme beyng, nor to fouch as he or they shall lycence, but that the same, as on respecte of theym, be made, pronounced, adjudged, and declared utter frustrate, adnichillat, voide and holden of none effecte.

The twelfth Year of Elizabeth.

Statuta, Ordinationes, & actus in Parlamento prædicto apud Dublin, prædicto die Veneris. viz. xxvi. die Maii 1570. et anno regni prædictæ dominæ Reginæ duodecimo, coram præfato deputato fimiliter tento edito in hæc verba.

C H A P. I.

An Act for the Erection of Free Schooles. Rot. Parl. cap. 5.

FORASMUCH as the greatest number of the people of this your Majestie's realm hath of long time lived in rude and barbarous states, not understanding that Almighty God hath by his divine laws forbidden the manifold and haynous offences, which they spare not daily and hourelly to commit and perpetrate, nor that hee hath by his holy Scriptures commanded a due and humble obedience from the people to their princes and rulers; whose ignorance in these so high pointes touching their damnation proceedeth only of lack of good bringing up of the youth of this realm either in publique or private schooles, where through good discipline they might be taught to avoide these lothsome and horrible errors: it may therefore please your most excellent Majestie, that it be enacted, and bee it enacted by your Highnesse with the assent of the lords spirituall and temporall and the commons in this present Parliament assembled, and by the authority of the same, That there shall be from henceforth a free schoole within every diocesse of this realm of Ireland, and that the schoolemaster shall be an Englishman, or of the English birth of this realm; and that the lord archbishop of Armachanen, the lord archbishop of Dublin, the lord bishop of Meath, and the lord bishop of Kildare, and their severall successours for ever, shall have the nomination, institution, and appointment of the schoolemasters within their severall diocesses from time to time for ever, that is to say, everie of them in his owne diocesse; and that the lord deputie, or other governour or governours of this realm for the time being, shall have the nomination, institution, and appointment of all and singular the schoolemasters in and for all and singular the other diocesses of this realm (the foure diocesses before named excepted) from time to time for ever. The schoolehouse for every diocesse to be builded and erected in the principall shire towne of the diocesse, where schoolehouses be not alreadie builded, at the

A. D.

1570.

7 Wil. 3. 4.

12 G. 1. 9.

29 G. 2. 7.

Ignorance of the people for want of school discipline.

A free school in every diocese.

The master of the English birth.

The deputy, &c. to have the nomination, except in Armagh, Dublin, Meath, and Kildare.

The school house in the principal shire town, at the cost of the whole diocese, without re-

A. D. 1570. speci of free-
doms.
The over-
seers.
The Depu-
ty, &c. by
advice of ma-
jority of the
council, shall
appoint the
salary,
whereof the
ordinary to
pay one third,
the other two
parts by the
clergy of the
diocese. costes and charges of the whole diocesse, without respect of free-
domes, by the devise and oversight of the ordinaries of the diocesse
or of the vicars generall (*sede vacante*) and the Shiriffe of the
shire: and that the lord deputie, or other governour or governours
of this realm for the time being, with and by the advise of the
councell of the same, or more number of them, shall according to
the qualitie and quantities of everie diocesse appoint to and for every
schoolemaster such yearly pencion, stipend, or salarie, where none
is already appointed, as he with and by their advise shall think
convenient; whereof the ordinaries of every diocesse shall beare
yearly for ever the third part; and the parsons, vicars prebendaries
and other ecclesiastical persons of the same diocesse shall pay yearly
for ever, the other two partes by an equall contribution to bee
made by the said ordinaries.

All ecclesi-
astical livings
come to the
crown charge-
able.

II. And bee it further enacted by the authority aforesaid, That
all churches, parsonages, vicarages, and other ecclesiasticall livings,
that have come by any title, meane or conveyance to the possession
and seifyn of the Queen's Majestie, or any of her most noble proge-
nitors, shall bee charged to this payment and contribution, in whose
hands or possession somever the same are or shall come.

C H A P. II.

*An Act that Exemplifications shall be of the same Effect and Strength,
as the Record or Matter exemplified should be. Rot. Parl. cap. 6.*

13 Eliz. 6.
Eng.

Records and
ancient muni-
ments, by
careless keep-
ing, torn or
impaired, to
the danger of
disherison of
subjects.

Exemplifi-
cations of re-
cords under
the great seal,
and seals of B.
R. C. B. and
exchequer,
and subscrib-
ed by the
chancellor and
chief judges,
of same effect
as the origi-
nal.

FORASMUCH as by the careless and negligent keeping of the
rolles, recordes, and ancient munimentes, that did remain in
the thresorie of this realm, and in offices appointed for the safe
custodie of them, the same rolles, recordes, and munimentes, are some
torn and rent, some imbeaseled and consealed, and some so impaired
with moysture of stone walles, as they cannot bee read, to the great
perill of disherison of the subjects: and although number have
of old and ancient time caused the exemplifications to bee made
forth of them for their better assurance, yet the same do not so
much benefite them, as they ment they should, as being of no such
sufficiencie in the law as the originall is: bee it for remedie herein
enacted, ordeyned, and established by the Queen's most excellent
Majestie, the lords spirituall and temporall and the commons in this
present Parliament assembled, and by the authoritie of the same,
that from henceforth all and all manner exemplifications to be made
of any recorde, judgment, fine, proceffe, inrolment, office, letters,
patentes, or of any act, statute, provision, or ordinance, or of other
matter or thing whatsoever of recorde, and being sealed under the
Queen's Majestie's, her heires and successors, great seal of this realm,
and under the seals of her Majestie's courtes, her heires and succes-
sours, of high bench or chiefe place, common place, and exchequer

in

in this realm, and subscribed by the lord chauncellour, both the chiefe justices and chiefe baron for the time being, shall be of the same force, effect, strength, and validitie in law, in all things, and to all intents, constructions and purposes, and shall have the same allowance, estimation, credit, and faith, in all courts and places, and before all judges, officers, and ministers of justice, as the originall or originalles, so exemplified, of what nature or kind soever the same bee, should or ought to have, if the same were produced, exhibited, pleaded, alledged and shewed forth.

A. D.
1570.

II. And be it further enacted by the authoritie aforesaid, That in every exemplification to be made by vertue of this act shall be written and incerted, for warrant of the affixing the seals before specified to the same exemplification these words following: *In cujus rei testimonium his literis nostris patentibus tam magnum sigillum nostrum regni nostri Hiberniæ quam sigilla nostra curiarum nostrarum capitalis placæ nostræ communis banci nostri & scaccarij nostri in regno nostro præd' apponi fecimus juxta tenorem & effectum statuti in hac parte æditi.* And that upon the sight of everie exemplification sealed with any of the said seals in form aforesaid, and of the record, inrolment, or matter so exemplified, the Queen's Majestie's officers that have, or shall for the time have, the custodie of the other seals before specified, shall have full power and authoritie by vertue and warrant of this act to put to the seals being in their custodie.

Clause to be inserted in the exemplification for warrant of affixing the seals.

C H A P. III.

An Act for the establishing the Standard of Measures for Corn within certain Shires of this Realm. Rot. Parl. cap. 7.

MOST humbly beseechen your most excellent Majestie, the lords spirituall and temporall, and the commons in this your Highnesse Parliament assembled, That whereas there is not, nor ever to this time hath been that any man may remember, a standard for the measure of corn in your Majestie's exchequer in this realm, by the which your Highnesse subjects mought be directed and ordered for their measures in buying and selling, as in your realm of England they are; by the occasion whereof, in divers parties of this your Majestie's realm of Ireland, there be used measures some of over large quantity and some of over little, to the great disturbance, vexation, and hinderance of your Highnesse subjects: for remedy whereof, be it of your Majestie's abundant grace, by the assent of the lords spirituall and temporall, and of the commons in this present Parliament assembled, and by authority of the same, enacted and established, That your most excellent Majesties, shall at your owne proper cost and charge, doe let make, two measures of brasse, one for wheat, rie, messon, beans and pease, and another for malt, oates and barley, which shall bee the standardes for the shires of the citie

7 Wil. 3. 24.
4 Anne 14.
1 G. 2. 10.
Mischief arising from the want of a standard for measure of corn, as in England.

By 25 G. 2. 15. which is continued seven years by 31 G. 2. 9. corn to be sold by weight.

Two measures of bras, made at the Queen's cost, shall be the standards for

A. D. 1570. Chap. 3. of Dublin, the countie of Dublin, Kildare, Catherlagh, Wexford, Meth, the town of Drogheda, Westmeth, Louth, King's countie and Queen's countie, within this your realm, and that the same being marked with the crowne and letters of your Majestie's name, shall remain and bee as your Highnesse standares for the shires aforesaid, in your Majestie's exchequer of this realm, in the custodie of the lord thesaurer of this realm, or of the underthesaurer for the time being.

certain counties named, and remain in the exchequer with the treasurer.

One measure to be by indenture delivered to each county, &c.

with whom to remain.

Common measures to be made according thereto and marked.

Two pence for marking.

II. And be it also enacted by the said authoritie, that unto the knights, citizens, and burgeses of every the shires, citie and towne before named, assembled in this Parliament, and to certain burgeses of the borough towns in the same shires, shall be delivered one measure of every such measures, which your Majestie shall cause to be made according to the tenour of this act, for the common-wealth of your Highnesse subjects within this your realm of Ireland, according to your Majestie's standerd of your exchequer in this realm, by indenture thereof to be made between the lord thesaurer of this realm, or the underthesaurer for the time being, at the costes and charges of the said shire, citie, towne or borough: And that the said knights, citizens and burgeses, to whom the said measure shall be delivered as is aforesaid, shall surely and safely convey, or cause the same to be conveyed by the said citizens to their cities, and by the said knights or burgeses unto such borough or towne corporate, or market towne within the shire, for which they been elected as hereafter shall be appointed in this act for the good custodie of the same measures with all convenient speed and expedition, there to remain for ever in the keeping of the mayor, bayliff, soveraigne, portrief, or other head officer for the time being of the said citie, borough or towne, as your Majestie's standerdes of measure; and that the inhabitants of all cities, boroughs and market townes within every of the said shires, shall with all convenient speed, after the same standerds so delivered as before is prescribed, make, or cause to be made common measures, according to the measures abovesaid, to remain within the said cities, boroughs and market townes, and every of them, and the same measures to be viewed, examined, printed, signed, and marked by the mayor, bayliff, soveraign, portrief, or other head officer, in whose possession the said standard shall remain, or by his officer appointed in that behalfe. And that every of the aforesaid mayor, bailiffe, soveraign, portrief, or head officer, having the said measures printed and signed under the signe and print for the same, with the letters of your Majestie's name crowned, have authoritie and power to make, signe and print, like measures unto every your Majestie's subjects, duely requiring the same, taking for marking of every bushell two pence lawfull money of Ireland; and that no merchant, ne other person ne persons, within any citie or market towne, in any the shires before specified, shall buy, sell, or receive any

any grain or corn with any measure, except it be marked, signed, or printed in maner and forme afore said, ne any other person or persons in any the shires before specified, out of the said cities, boroughs, and market townes, except it bee like and equall with the standard ordeined and made for that shire, precinct or place, where any such person shall so sell, buy, or receive the said grain or corne; and that every person, aswell without cities, boroughes, and market townes, as within in every of the shires above specified, shall buy, sell, and receive, and deliver with a busheell sealed, signed, or marked after the forme afore said, and none otherwise, upon forfeiture of the grain and corn so sold, bought, received, and delivered, half to your Majesty, your heirs and successours, and the other halfe to the partie grieved, and will sue for the same by action of debt after the course of the common lawes of this realm, wherein no essoine, protection, nor wager of law to be admitted or allowed. And that all the mayors, bayliffes, soveraignes, portriffes, and other head officers of every citie, borough, or market towne within every the shires afore said, shall cause twise in the year, or oftener, as they shall think necessary, all measures within the said cities, boroughs, and market townes to be brought afore them, and to bee duely viewed and examined; and such, as they shall upon examination find defective, immediately to bee broken and brent, and the partie or parties, which in that behalf hath offended and be found defective, shall forfeit for the first time fixe shillings eight pence; the forfeiture thereof to be unto the said mayor, baylif, soveraign, portrife, or any other having jurisdiction and correction in that behalfe, and at the second time the said offendours likewise to forfeit thirteen shillings foure pence, and at the third time likewise to forfeit twentie shillings; the same forfeitures to be to the head officers as afore is said; and for further punishment to bee set upon the pillory to the en- samples of other; and that the justices of peace in every shire of this realm of Ireland have full power and authoritie to enquire, hear, and determine the said defaults.

A. D.
1570.
Chap. 3.

Grain or
corn not
bought or sold
there except
by marked
measures on
pain of forfei-
ture.

The mea-
sures viewed
twice a year,
or oftener.

Penalty if
found defec-
tive.

III. Bee it also enacted by the authoritie above said, That the justices of peace above said have authoritie to make like processe against all persons founden, as is above said, defective, and for such fines and amerciaments as upon them shall be assessed, as if they were indicted afore them for breaking of the Queen's peace.

Justices of
peace may in-
quire of said
defaults.

IV. Provided also, that the examination of the defaults above said, and punishment to the offenders of every offence committed here- after within any citie or towne corporate of this realm, that have by graunt or charter the offices of clarke of the market, or of justi- ces of peace and their authorities, or that have by graunt or charter fines, amerciaments, or forfeitures growing within their citie or towne, shall be had, done, and minstred by the head officers, clerke, of the market, or justices of peace, within the same cities or townes

The head
officers in
towns corpo-
rate.

A. D. 1570. incorporate for the time being, and by none other, the premisses notwithstanding: and that the same mayors, bayliffes, soveraignes, portrifes, or other head officers and their successours, shall take, have, perceive, and retain all and singular the fines, amerciaments, forfeitures, and penalties, to grow by any offence to be committed against any branch or article of this act within their severall jurisdictions and authorities, in like manner as they should, mought, or ought to have any forfeitures, fines, amerciaments, and penalties, within their severall jurisdictions and authorities by reason of any graunt or charter made to them before the making of this act; this acte or any thing therein conteyned, or any law, prescription, custom, or usage to the contrarie hereof in any wise notwithstanding.

They to have the forfeitures as before this act.

Chap. 3.

Contents of the bushell.

V. And forasmuch as great inconveniencies and intollerable damages have and doth ensue by the occasion of the diversitie of measures within the shires above mentioned, and thereby amongst other hatefull evils men are moved to buy in one market, and sell the same graine in another, to the great subversion of good orders in markets: it may therefore please your Majestie with the assent of the lords spirituall and temporall and the commons in this your Highnesse Parliament, and by the authoritie of the same, That it be enacted and established, That the severall standards to bee made by your Majestie for the severall shires, citie, and towne before named, shall keep and hold the quantities hereafter following, that is to say, the bushell for the wheat, rie, mellone, beanes, and pease, shall contain sixteen ale gallons, and the bushell for the malte, oates, and barley, shall contain twentie ale gallons; and that the same standards or measures shall be kept and remain in the townes and places hereafter appointed in this act as your Majestie's standards for ever.

Strike measure, on pain of forfeiture.

This statute proclaimed before it takes effect.

VI. And bee it enacted by the said authoritie, That every bushell of wheat corne shall bee received stricked without heap, and the bushell of malt corne shall be layed and pressed downe just with the brymm of the bushell, after the accustomed manner of measuring malt, and not in other manner, upon forfeiture of the corne received contrarie to the tenour hereof, or of the just value and price thereof. Provided alway, that this estatute shall not bee of force and effect, before that the same shall be solemnly proclaimed in the cities, shire-townes, and boroughes hereafter in this act appointed for the good keeping and custodie of the said standards and measures.

The Names of the Townes limited for the safe Custodie of Measures according to the Queen's Standard appointed by this Act for the Shires in the same Act mentioned.

A. D.
1570.

Countie of the citie of Dublin and the countie of Dublin.	The citie of Dublin.
The countie of Kildare.	The towne of Kildare.
The countie of Lowthe.	The towne of Dondalke.
The Queen's Countie.	The towne of Maryborough.
The King's Countie.	The towne of Phillipston.
The countie of Methe.	The towne of Trymme.
The countie of Catherlagh.	The towne of Catherlagh.
The countie of Westmethe.	The towne of Mollingar.
The countie of the towne of Drogheda.	The towne of Drogheda.
The countie of Wexford.	The towne of Wexford.

C H A P. IV.

An Act authorising the Governour for the Time being by Advise of the more Part of the Privie Councill, and upon her Majestie's Pleasure signified by Instruction or Letter, to graunt Letters Patents to the Irishrie and degenerated Men of English Name of their Lands, &c. yeelding to her Majestie, her Heyres and Successours, certaine Reservations, &c. Rot. Parl. cap. 4.

WH E R E the more part of the Irishrie and divers discended of English name within this realm have made humble petition unto the lord deputie to be meane unto her Majestie to accept of them the surrender of all their lordships, mannors, lands, tenements, and other their possessions, to the end it might please her Highnesse, after the said surrender so made, to graunt to eyther of them the same their lands and possessions to holde of her Highnesse, her heyres and successours, by such tenour, rent, service, and attendance, as should be thought meet and convenient, respecting the quantitie and qualitie of the said lands, the place where it should lye, and the person that should receive the same: in consideration whereof be it enacted by authoritie of this present Parliament, That the lord deputie, or governour of this realm for the time being, upon the offer of any the pretended lords, gentlemen, or freeholders of the Irishrie, or degenerated men of English name, holding their lands by Irish custome, and not by tenure according to her Majestie's lawes, and inhabiting in the provinces or counties of Mounster, Thomond, Connaght, Leynster, Kenalyaghe, Deanlee or Dalnee Mac Coghlan, Fercall, Calry, Clyncolman, or Ulster, except the

A. D.
1570.
Chap. 4.

Such of the
Irishry or de-
generate Eng-
lish, holding
by Irish cus-
tom and not
by tenure ac-
cording to the
Queen's laws,
as surrender
their lands
shall have let-
ters patents to
hold of the
Queen by ser-
vices, &c.

countries within the same province, united this present Parliament to the crowne, to surrender and take their lands, and possessions to hold of our soveraign lady the Queen's Majestie, her heyres and successours, shall advertise the same to her Highnesse, and upon her Highnesse allowance thereof, and her pleasure signified by instructions or letters under her Majesties most gracious signature unto the said lord deputie or governour to receive the same surrender, and make forth the said letters patents, that then, after the said surrender or surrenders so made in her Majestie's court of chauncerie of this realm, the said lord deputie, and the more part of the privie counsell of the said realm, shall have full power and authoritie by vertue of this act to make warrants unto the lord chauncellor, or keeper of the great seal of the said realm for the time being, to make forth letters patents under the great seale unto all and every the said person and persons, that her Majestie shall by instructions or letters will and appoint letters patents to be made unto of their lands and possessions, with the appurtenances or any part thereof; to have and to hold to them for yeres, life, in taile, or fee simple, or with remainder or remainders to any other person or persons for life, in taile, or in fee simple, according as shall be specified or limited in the same instructions or letter; the said patentees, their heyres and assignes, to hold of her Majestie, her heyres and successours, by such tenure, and to yeeld, beare, and pay all such services, rents, and to doe and accomplish all other thing and things, according as shall be reserved, expressed, and set forth in the said letters patents, and that the said letters patents shall be good and effectuell in the law according to the tenor and effect of the same.

The rights
of others to
any of the
surrendered
lands, saved.

II. Provided alway, and be it further enacted by the authoritie aforesaid, That this act, or any thing therein conteyned, shall not extend or be of force to take away from any earl, viscount, baron, or any other lord spirituall or temporall, or any other person or persons of this realm, any right, title, entree, possession, seigniorie, tenures, rents, services, charges, customes, or other commodities, profites, or advantages whatsoever, which they or any of them have, had, or ought to have by due course of her Majestie's lawes in, to, upon, or of any of the lands, possessions, or hereditaments, which shall be surrendred and regiven, or retaken, by the authoritie and force of this act: but that all and every earle, viscount, baron, and other lord spirituall and temporall, and other person and persons, shall and may have all and singular such right, title, entree, possession, seigniories, tenures, commons, rents, services, charges, customes, and other commodities, profites, and advantages whatsoever, as they, and every or any of them, have had, or ought to have as aforesaid in, to, upon, or of any of the said lands, possessions, and hereditaments to be surrendred and retaken by force of this act, in as large and ample manner to all intents, constructions, and purposes, as if this act were never had ne made; this act, ne any thing therein conteyned, to the contrarie in any wise notwithstanding.

C H A P. V.

A. D.

1570.

¶ *An Acte for the Attaynder of such as be or shall be indicted of highe Treason or Petie Treason, committed or to be committed from the first of Aprill, one thousand five hundred sixtie nyne, to the last of April, one thousand five hundred seventie one, yf thei shall not yelde their Boddies, &c. Rot. Parl. cap. 3.*

IN theyr mooste humble wyfe beseechen yowr mooste royall Majestie, the lordes spirituall and temporall, and all outhur your Highnes faithfull and obedient subjectes, the commens of this your highe courte of Parliament assembled; wheare through the inestimable chardge bestowed by your Highnes, the contynuall travaile of bodie and minde of your moost faithfull and trustie servaunt, the right honorable the lorde deputie, with the willinge readie assistaunce of the nobilitie, and your Majesties good and faithfull subjects of the Englishe pale; all the provynces and remote partes of this realme weare reduced to that knowedge of their dutie to your mooste roiall Majestie, that as yt semed they nothinge more desired, then that lawe and justice, with officers for execucion thereof, shoulde be amonge theym planted; (The countrie of Tyrone now by Parliament united to your ymperiall crowne, and usurped by that traytor Tyrrelagh Leynaghe onelic excepted.) The whiche unwonted towardenes of the throwe and founde reformation of this realme appearinge, and that your Majestie had greatlie to the encreafynge of your growynge charge appoynted officers and ministers to have their contynuell abode and receauncy in the provynces and territories of Mounster, Thomonde and Connaght, to administer justice to the inhabitaunts theare without any bourden to your people, and likewise your Highnes mooste prudentlie had furnished all necessaries for the appeasinge and throwe quieting of the tumultes of the Neyles of Tyrone, then in apparaunce the onele perturbbers of this state, whiche beyng atchived, the like order was loked for plantinge of justice in Ulster, that was experymented in the said outhur provinces. This right godlie intendement of your Highnes so honorable put in execucion had noo doubte made an ende of the contynuall consumpcion of your Majestie's threasures, and disburdened your true Englishe subjects of the greate burden they nowe beare by lodginge and victualinge of your Majestie's armye, and transformed this monstrous and uglie disordred state to the perfite shape of a happie common weale, a mooste just occasion to heape on your Highnes the everlastinge blessinge of Almightye God, for that in these your happie daies, a reformation many waies before this tyme attempted, and never atchived, haithen ben by your Highnes and your godlie minister by lawe and justice (the waie warranted by the mowthe of God) devised, and to the comforte of all faithfull hartes establisshed, but the wicked better acquainted with darknes then lighte, have chofen to wallowe in their owne filthe and puddle of tyranny, oppression, rape, ravine and spoile, for as yt ys manifest and well known to us, the vile and ingrate traytours Mac Cartie, more latelie create earle of Clancartie; Sir Edmond Butler, Knight; Edward Butler and Piers Butler, his brethern; Piers and James Butler, sonnes to the vicounte Mountegarret; James and John Butler, sonnes to Piers Butler, of the Grallaghe; Walter Butler, Tibbott Butler, Piers Butler, John Butler, sonnes to Edmond Butler, of Pollestone; James Fitz Geralde, sonne to Sir Morishe Fitz Desmonde, the senescall of Imokillye; the White Knight; with divers outhurs wicked and disloyall traytours, againste whose wicked and tyrannouse course of life, the lamentable cry of many widdowes, innocent orphans, and pore oppressed people, resounde before the throne of God his Majestie for vengeance, have, for the overthrowe of all those your Majestie's mooste godlie and princelie proceedinges, conspired together mooste traitourslie and wretchedlie, contrarie to their duetie of allegiaunce, to levie sharpe and cruell warre againste your Majestie, and your true and faithfull subjects of the English pale; and for the better accomplishinge of their divellishe and wicked purpose, practised with the Kynge of Spayne, and the Scottes our auncient enemies, and outhur forreyne princes and potentates, to invade

Expired.

A. D.
1570.
Chap. 5.

this Lande, and combyned with the traytoure Tyrrelaughe Leynaghe, and all outhere the Irishrie of Ulster, (excepte Sir Hughe O Donell) the said Sir Edmonde Butler promysinge to the same Tyrrelaughe Leynaghe, that yf the lord deputie with the armye, did invade Ulster, that then the said Sir Edmonde with the rest of the traytours of Mounster shoulde invade the Englishe pale on the southe; and yf the lord deputie should turn his face to the southe, that then Tirrelaughe, with the northern traytours, shoulde invade the English pale on the north side. The said traytours, procured also all the Irishe of Leynster, Mounster and Connaght, to be of their confederacie, and to joigne with theym, in this traytorouse and mooste unnaturall and causeles rebellion, as the same sir Edmonde Butler, himselfe confessed; and as was testified to the lorde deputie and counsell, upon hym attendant, by the more parte of the same Irishrie and outhere sufficient testimonies; the like of whiche unnaturall, perillouse, and universall rebellion and insurrecion, as this was, hathe not sithence the firste conqueste of this lande bene seene, or harde of againste the crowne of Englande. The right honourable the lorde deputie, having by sondrie intelligences occasion to suspecte intendement of somme greate and perillouse exploite againste the state, by these nowe traytours and rebbells, like a prudent and mooste carefull minister in his chardge, fought by all meanes aad waies to prevent the same, and yf yt weare possible, to reclayne soo many of theym as weare not paste all grace and due respecte of their allegiaunce; all whiche could not prevaile, for althoo after that the said Sir Edmonde, and his brethern traytorouselie entending this furiose and franticke rebellion, had robbed and spoyled the inhabitaunts of the countie of Kilkenny, of their armour and weapons, to the ende to furnishe theym and their confederates, and to unarme the subjects, and had committed fundrie outhere haynouse uttrages in all places wheare they came, which sufficientlie dissiphered their conspiracie and rebellious pretence, and that they had likewise divers waies actuallie and manifestlie begoune their rebellion; yet they beinge forborne to be then presentlie, by proclamacion, denounced rebelles and traytours, had respite for fifteen daies to make their apparaunce before the lorde deputie and counsell, or outhewise to be taken, from thenceforthe as enemyes and rebelles, whiche apparaunce they neglected to make, chosing rather to be rebells, as in verie deade they were, then to appeere and justifie theymselves to be good and true subjects as became, then veynlie protestdinge they ment noo hurte when they did all the harme they coulde, seyeinge they weare good and true subjects, when they had joined and confederate with our auncient Irishe enemyes, and outhere foreyn power, to destroye all us your Majestie's faithfull and true subjects, whiche counterfaite and false pretence of obedience, have alwaie bene the outewarde shewe and publicke proclamacion of inwarde and deepe roted rebellion and treason; The rebelles and traytours, well knowinge that the fowle face of their coursed crafte, upon a sodeyne shewe, shoulde be rejected, and of all faithfull subjects gaynesayde. The rebells persisting in this their wicked enterpryse, meant to occupie all partes of the realme, with actuall warre at ones, and for the execucion of their vile purpose, the same Sir Edmonde, with banner displaied, invaded the counties of Catherlaghe and Kildare, and robbed, and praied, and spoiled the poore people of their goodes and cattell, ledd many of theym captive, and committed diverse fowle and heynouse factes; and Mac Cartie More, at the same tyme, and James Fitzmorishe, with a greate hoste, invaded that parte of the countie of Corke, possessed by Sir Warham Seyntleger, and theare burned, murdered and praied the whole countrey of Kerycorre, and determyned to distroye the cittie of Corke. Edward Butler, likewise with a great power, invaded the countie of Waterforde, and theare burned and murdered cruellie many poore people; and after the same, Sir Edmonde and his said brethern drew the traytours of Mounster, with all their force, to the siedege of the towne of Kilkenny, the spoyle and sacke whereof he promised to theym for their labour, aboute whiche, when they had spent five daies, perceivinge the same to be defensible, by reason of certein bandes of souldiers, before by the lord deputie for that purpose theare placed, they departed, and Sir Edmond, with Cahir Mac Keadye O Moore, whom he procured to rebell, invaded your Majestie's countrey of Leix, and there
burned

burned and murdered mooste cruellie. The rebells fought to distresse all the corporat and walled townes in those provinces, and ymployed their uttermooste endeavour to distroye theym, and for the encouragement of their ungraciouse and barbarouse rude multitud of traytours rascalls, gave them to understand, that by the overthrowe of theise good townes and civill people, their devillishe proceedinges shoulde be mouche advaunced, for the spoile and rannsonyng of the merchaunts, their wives and children, shoulde be to theym verie commodiouse; and beside, they affirmed that the Englishe hereafter shoulde have no succour or reliff in theym; foutche cancred hate, and ranke malice bare they to the good subjects, that the more any was noted to depende upon your Majestie, the greater tyranny and crueltie was to hym showed: English habit, or any sparke of civill or loiall behaviour, sufficed to move their cruell indignacion, voide of all pitie and mercie, as manifestlie appeared by all their proceedinges, over many haynouse, and abhomynable, to be particulerlie recited to your sacred Majestie. The lorde deputie by theise occasions was withdrawn, from the intended service of the northe, and proclaymed a generall hostinge southwarde, which begonne the nineteenthe of July; againste whome the same traitours had fortified diverse stronge holtes and castels, in the counties of Catherlaughe, Kilkenny and Tipperarie, as in outhere the counties of Mounster, and caused their confederates of Thomonde and Connaght to do the like, and determined of newe to assemble, and seemed as they would (yf they durste) to anoye the lorde deputie in his passage, with their traytorouse assemblie and yoininge together; being disappointed by the presence of the lorde deputie and his armye in those partes, and divers of their holtes and castells mooste valientlie wonne by force, and the traitours put to the sworde that kept the same; many outhere castells rased to the grounde; and the more parte fearinge the like chaunce, renounced their holtes and castells before they weare approched: This terrour caused divers of the traytours confederates, to submit theym-selves to the grace and mercye of the deputie; and notwithstandinge, that by this honorable and valiaunte travaile of the lorde deputie, the traytours weare scattred, the said Sir Edmonde, Edward, and Piers, with their rabble of traytours, weare robbing, spoylinge, murdringe and prayenge in all places wheare they coulde; and in especiall, at the fayre of Enescortie, the said Sir Edmonde, with a greate hoste assaulted and robbed the fayre, murdered dyvers merchaunts and poore people, cruellie took your Majestie's house of Enescortie, and robbed your fermour there of ——— thousand poundes worth of goodes, and dyvers horrible deades they committed in sondrie outhere places; the traitours had their messengers to and fro to sturr the people with false ymaginacions and fables, sowinge in all partes fouche maliciouse rumours and reportes, as the like was never devised or harde of in this lande before this tyme; by reason of all whiche, the lorde deputie was fayne in this service, to conteynue the space of eleven weekes, wheare as he entended, nor yet was provided for hym-selke and his armye, but onelie for fixe weekes, longer than whiche yt was never before this seene that the governour conteynued in campe; whiche his absence had put the pale in dangier of over ronnyng, yf his lordeshippe had not soo prudentlie foreseene the saulgarde thereof in his absence as hee did; and for that purpose, appoynted the earle of Kildare as generall, to rayse futehe force in the pale, as shoulde be thoughte conveniente to defend all eventes; whoo to withstaunde the southren traytours and rebells, marched with twoo thousande of your Majestie's true and faithfull subjectes of the pale towards the southe, and after, with the like number, camped for a tyme in the north borders, to withstande the traytour Tyrrelaghe Lenaghe, and the Scottes; the wages of whiche armye under the earle his conducte was mooste willinglie borne and paid by the lordes, gentlemen, and inhabitant of the pale ratablie. The particuler of the harmes commytted by the said rebells and their confederates, and trayne, partelie appearinge of recorde, by the presentment of their owne countreye men, kynred and aliaunce, weare over lone and prolix to be specified in this our humble petition, and more fowle, horrible and haynouse, they would seme: but mooste pitifull of all, yt is to hiere the dolefull crye of the poore widdowes and or-

A. D.

1570.

Chap. 5.

Enacting part.

phans, whiche with their livelie voyces testifie as well the cruell murders of thier husbandes and parentes, as lamente their owne miserie and wooful case, and for proof in what detestation wee your Majestie's faithfull subjects have the said rebels, and their actes; and to the ende their ponyshment in tyme hereafter may be astaye to the like. We therefore mooste humblie from the bottome of our hartes praye as before that yt may be enacted, and be yt enacted by authoritie aforesaid, That everie person or persons which ys, or herereafter shall be indited of highe treason or pettie treason, commytted or done sithens the furste daie of Aprill, whiche was in the yere of our Lorde, a thowsande five hundred three score and nyne, to the laste daie of Aprill, whiche shall be in the yere of our Lorde God, a thowsande five hundred three score and eleven, and ys or shall be thereof indited within the said tyme, shall within fortie daies after they, and either or any of theym be willed, by open proclamacion to be made by warrant under the great seale of this realme, directed to futch person or persons as the lorde deputie, or outhur governour or governours of this realme, for the tyme beinge shall appoincte, as well in the cittie of Dublin, as alsoo in the principal cittie or towne in the shire, where he or they ys, or shall be supposed by the inditement to be, or have ben dwellinge, appeere at the castell of Dublin, and there yelde his or their boddie and boddies to the constables warde of her Majestie's said castell, and shall not depart from thence, 'till he or they be discharged by order of her Majestie's lawes, of fuche matters as shall be conteyned in the said inditement or inditements, and whatsoever person or persons ys, or shall be so indited, and by proclamacion willed to make his or their apparaunce in manner aforesaid, and shall not accordinglie appeere within the said fortie daies then next ensuyng, and remayne in the said castell of Dublin 'till he or they be discharged in manner aforesaid, shall be attaynted of the said highe treason or pettie treason, whereof he or they ys or shall be indited, as effectuallie and sufficientlie to all intents, construccions and purposes, as yf he or they weare found guiltie of the same by verdite of twelve men, and judged by due course of her Majestie's lawes; any cause or matter, thinge or thinges, to the contrarie in any wise notwithstanding.

Saving.

II. And be it further enacted by authoritie aforesaid, That every person and persons, whiche shall be attaynted by authoritie or force of this present acte, shall forfeite to your Majestie, your heires and succeffours, all fuche honors, manors, landes, tenements, castells, rents, reversions, remaynders, services, and all outhur hereditaments, commodities, revenues, profittes, with their rights, members, and appurtenances, whereof they or any of theym be or weare seised lawfullie and justlie in fee simple, fee tayle, or for term of lif to their own use, or whereof any outhur person or persons be or weare seised to the use of theym, or any of theym, in fee simple, fee tayle, or for term of lif, the daie of commyttinge the faecte accordinge the purporte and supposall of the said inditement to have ben committed; and all their goodes and chattells, realls and personalls, whiche they or any of theym be or weare possessed of, or whereof any other person or persons be, or weare possessed, to ther use, or to the use of any of theym; and that your Majestie, your heires and succeffours, shall and may, by authoritie and force of this acte be reallie and actuallie seised and possessed of all the said honors, mannors, lands, tenements, castells, rents, reversions, remayneders, services and hereditaments, with their rights, members and appurtenances, as united to your ymperial crowne of this realme, from the tyme of the offence comytted or done by any of the said parties, accordinge the purporte of his or their inditement. Saving, and alwaie resarved by the authoritie of this present Parliament, to everie person or persons, boddies polliticque and incorporate, their heires and succeffours, (outhur then the said persons, and everie of them soo to be attaynted by tenour of this acte, their heires and assignes, and the heires and assignes of everie of them, and all outhers claymeing to the use of them, and everie of them, in fee simple, fee tayle, or for term of lif) all fuche right, title, intereste, clayme, lawfull entre, leases for tearme of yeares, or demaunde, whiche they or any of them have in or to the said honors, manours, lands, tenements, castells, rentes, reversions, remaynders, services and hereditaments, with their members and pur-

appurtenance, at any time before the daie of commytinge the said facte, by the said inditemente supposd to be done.

III. Provided also, and be yt enacted by authority aforesaid, That noo person or persons be attaynted by virtue of any proclamacion to be made by force of this acte for lacke of apparaunce, unles the same proclamacion be made as aforesaid by the last daie of October next after the said last daie of Aprill a thowfaunde five hundred three score and eleven.

IV. And be yt further enacted by authoritie aforesaid, That the warrantes for making the proclamacions in maner aforesaid shall be retorned to the Queene's Majestie's chief place within this realm, the next terme after the said proclamacion soo made, and that yt shall be theare inrolled and recorded, together with the apparaunces of everie person and persons, whiche shall upon everie futehe proclamacion appeere to justifie theymselves.

A. D.

1570.

Chap. 5.

The twelfth Year of Elizabeth. Sess. 2.

Statuta, Ordinationes & Act' in Parlamento predicto apud *Dublin* predict' die Lune, viz. sexto die *Novembris*, 1570, anno regni predictæ Dominæ Reginae duodecimo coram prefato deputato similiter tent' edit. in hæc verba.

C H A P. I.

An Act for the Attayndour of Thomas Queverford, late of Balymacka.

A. D.
1570.

Attainder
of Thomas
Queverford.

His lands,
&c. forfeited,

WH E R E the just judgment of God hath of late cutte off from the bodie of this your Majestie's common wealth, by death of that unnaturall, unkind, and corrupt member, Thomas Queverford, late of Ballymacka in your county of Kilkenny, having been in his life time one of the chieftest and principall conspiratours, and actuall doers in this last rebellion, before he was thereof attaynted, or could be apprehended: yet considering, that if his most cruell and trayterous doings should be left uncorrected and unpunished, would remain a perilous example for others hereafter to doe the like. It may therefore please your Majestie, that it be enacted; and be it enacted with your Highnesse assent, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That the said Thomas Queverford shall be adjudged and attainted from the first day of Aprill, in the eleventh year of your Majestie's reign, traitor, attainted of high treason; and that he shall forfeit and loose to your Majestie, your heyres and successours, all such castles, manours, messuages, lands, tenements, meadowes, leafues, pastours, woods, waters, rents, reversions, remaynders, services, offices, fees, annuities, uses, possessions, rights, commodities, conditions, and all other hereditaments, of what names, natures, or qualities soever, they be: and also all such goods, chattells, and debts, which he, or any to his use, had enjoyed, or was seysed, or possessed of the said first day of Aprill, in the said eleventh year of your Majestie's reign, or at any time since, and all such rights, titles, interests, uses, and possessions, which he had the said first day of Aprill, or at any time sithence, of, in, or to the said castles, mannors, and other the premisses, or of any parte or parcell of them. And that all such castles, mannour, meases, landes, tenements, meadowes, leafes, pastures,

pastures, woods, waters, rents, reversions, and other the hereditaments afore specified, which was the sayd Thomas Queverford's, shall be by authoritie afore said adjudged, vested, and deemed to be in the actuall and reall possession of your Majestie from the sayd first day of Aprill in the sayd eleventh year of your reigne, without any office or inquisition thereof to be taken or found according to the common or statute lawes of this realme. Saving to all and every person or persons, bodies politicque and corporate, and to their heyeres and assignes, and successeurs, and to every of them, other than the said Thomas Queverford, his heyers generall and speciall, and all other clayming by him, all such rights, titles, entries, interestes, rents services, rents charges, rents secks, leases, fees, and all other commodities, profites, and hereditaments whatsoever, that they or any of them had, might, could, or ought to have, as if this act had never been had or made.

A. D.
1570.
Chap. 1.
and vested
in the Queen
without office
or inquisition.
Saving the
rights of o-
thers.

II. Provided alwayes, and be it enacted by the authority afore said, That this act shall not extend to any lands, tenements, or hereditaments with their appurtenances, that the wife of the said Queverford had in her own right in use, possession, reversion, remainder, or otherwise, in estate of inheritance; or to any lands, tenements, or hereditaments with their appurtenances, that were ensured by any conveyance to his said wife, or to any to her use, before the said first day of Aprill; but that shee and her assignes, and all and every other person or persons feyfed to her use, shall enjoy and have the same lands, tenements, and hereditaments with their appurtenances so ensured and conveyed; and that she and her heyres generall and speciall, and all and every other person and persons feyfed to her and their use and uses, shall have and enjoy the said lands, tenements, and hereditaments with their appurtenances, that she had in use, possession, reversion, remaynder, or other title in estate of inheritance, according to her and their title in and to the same, as if this act had never been had ne made; any thing in this act conteyned to the contrarie notwithstanding.

Not to ex-
tend to the
estate of his
wife.

The thirteenth Year of Elizabeth.

Statuta, Ordinationes, & Actus, in Parlamento prædicto apud Dublin, prædicto die Martis, viz. quinto die Decembris 1570, & anno regni prædictæ dominæ Reginæ decimo tertio, coram præfato deputato similiter tento, edita in hæc verba.

C H A P. I.

An Act that such Clothe and Stuffle, as shall be wrought of the Wooll, Flockes, Lynnen Yarne, Woollen Yarne, Sheepefell, Calfell, Goatfell, Red Deerefell, or Fallow Deerefell, within this Realm, shall be transported for Merchandise onely by the Merchants within everie the staple Cities and townes of this Realm, and by the free Merchants of the Borowghes and priviledged Townes, and by none other.
Rot. Parl. cap. 4.

A. D.
1571.
Recital of
stat. 11 Eliz.
10.

WH E A R E in a session of this present Parliament holden at Dublin it was enacted, ordeined, and established by the Queen's Majestie with the assent of the lords spirituall and temporall and the commons in this present Parliament assembled, and by the authoritie of the same, That whatsoever person or persons shall from and after the last day of September, which shall be in the year of our Lord God 1569, put, carrie, or load into any ship, barke, pickard, boat, or other vessell, any wooll, flockes, lynnens yarn, woollen yarn, sheepefell, calfefell, goatfell, red deerefell, or fallow deerefell unwrought, tallow, waxe, or butter, to the intent to carrie the same out of this realm, shall pay for the same to the Queen's Majesty, her heires and successours, for custome, as by the same act more fully and at large appeareth; before the establishment of which act the commodities now restrained were transported for the more part by the merchant staplers within the staple cities and townes of this realm, and by the merchants of the borowghes and priviledged townes of this same realm; whereby they were made more able to store this realm with forrein commodities by their diligence in traffique; which companies of merchants experience hath taught to be the chiefe stay of the cities and priviledged townes and borowghes within this realm, as without whom neither the same cities and townes be upholden and maintained, nor yet governed and ruled, nor the service of the realm in sundry points so well furthered and advanced, as by them it is at this present: the decay of whose state shall worke a grievous, yea an importable detriment to this poore common-weale,

as to men of good judgement and experience in the state of this realm is manifestly known, and by the restraint and stay of the afore specified commodities to be transported unwrought, and libertie given to all maner of men, aswell French, Scottish, Spanish, as other nations, forreine and straungers to this realm, for the conveyance of them being wrought, these companies of merchants of this realm shall be shut up from trade and traffique, being then in no better accompt than any forreine or straunger; so (which God forbid) shall in short time ensue the ruine, waste, and desolation of the cities and priviledged townes of this poore realm, the onely defence and supporte of this poore isle, now well stayed by these companies of merchants, and by them these hundred yeares passed maintained, governed, ruled, and kept in good order and civilitie, to the honour of the crowne of England, and safegard of the good subjects, yea, and to the great terrour of the rebels, and disordered enemies of the weale publicke: and over this, where the intent of the said statute of restraint is, that the commodities shall be wrought, and artificers set on worke within this realm, there is no hope to be conceived hereof, if there be not some such provision made, as the marte of those commodities shall not be free to all men, and that every stranger shall take so much benefite of them, as they whose bodies and goods be readie to be employed in the defence of this realm; which thing in all well governed common-weales have been in all ages singularly respected and forseene, where if the transporte of such commodites, as shall be wrought of the said things now restrained, shall be committed onely to the staplers within the staple cities and townes, and to the merchants of the boroughs and priviledged townes of the realm, they, as indeed most able to accomplish it, will by all good means devise for the allure of good workemen, that shall travaile in the worke of these things, and will with all diligence store the realm with artificers for that purpose aswell for the common profit of their native country, as for the increase of private wealth, which must ensue thereby: be it therefore for remedie of the premisses, and for the good causes and considerations before alledged, enacted, ordeined, and established by the Queen's most excellent Majestie, the lords spirituall and temporall, and the commons of this present Parliament assembled, and by authoritie of the same, that from henceforth for ever no manner person or persons shall carrie or transporte, or cause to bee carried or transported, any cloth or other worke or stufte that is wrought and made, or that hereafter shall be wrought and made, within this realm of Ireland of wooll, flockes, linnen yarn, woollen yarn, sheeffell, calfefell, goatefell, red deerfell, or fallow deerfell, out of this realm, or shall imbarke or ship any of the same commodities to bee transported, carried, or conveyed out of this realm, but onely a merchant in one of the staple cities or townes of this realm, or a merchant of one of the boroughes, or priviledged and incorporated townes of this realm, which are incorporated by charter: so

A. D.
1571.
Chap. 1.

Enacting
part.

None but
merchants in-
habiting sta-
ple or incor-
porate towns,
or their fac-
tors or ser-
vants, shall
ship or trans-
port cloth or
stuf made in
Ireland.

A. D. that the same merchant shall be inhabitant and have his chief dwelling within the same borough or privileged and incorporated town, or the factors or servants of any of the said merchants.

1571.
Chap. 1.

If done by others, it may be seised;

If not seised double value forfeited; half to the Queen, half to the informer.

II. And be it further enacted, ordained, and established by the authoritie aforesaid, that every one, that shall be inhabitant or free within any staple citie or towne, or within any other incorporate towne of this realme, which shall by himself, or by his factor or servant, imbarke, ship, carrie, load, or convey any cloth, worke, or stufte before mentioned, not being at the time of such imbarking, shipping, carriage, loading, or conveyance, a merchant in the same citie or towne, shall forfeit, for every time the whole cloth, worke, or stufte so imbarked, shipped, carried, loaden, or conveyed, if the same be seised upon, and if the same may not be seised upon, that then hee shall forfeit the double value of the cloth, worke, or stufte, so imbarked, shipped, carried, loaden, or conveyed; and that the one halfe of everie the said forfeitures shall bee to the seiser, or to the informer of the offence before the judges, hereafter to be appointed by this act, and the other half to the Queen's Majestie, her heirs and successours: and that likewise every one, that shall bee inhabitant or free within any borough, or privileged and incorporated towne of this realm, as is aforesaid, which shall by himself or by his factour or servant embarque, ship, carrie, lode, or convey any cloth, worke, or stufte, before mentioned, not being at the time of such imbarquing, shipping, carriage, loading, or conveyance, a merchant of the same borough, or privileged or incorporated towne, shall forfeit for everie time the whole cloth, worke, or stufte so imbarked, shipped, carried, loaden, or conveyed, if the same may be seised upon; and if the same may not be seised upon, that then he shall forfeit the double value of the cloth, work, or stuff so imbarqued, shipped, carried, loaden, or conveyed; and that the one halfe of every the said forfeitures shall be to the seiser or to the informer of the offence before the judges, hereafter to be appointed by this act, and the other halfe to the Queen's Majestie, her heyres and successours; and that likewise everie one, that is not free and inhabitant of any citie, borrough, or privileged and incorporated towne in this realm as afore, which shall imbarque, ship, carry, loade or convey, by himselfe or by his factour or servant, any cloth, worke, or stufte before mentioned, not being at the time of such imbarquing, shipping, carriage, loading, or conveyance, a merchant in one of the same cities or townes of this realm, or merchant of one of the boroughes or privileged and incorporated townes of this realm, in manner before appointed, shall forfeit for every time the whole cloth, worke, or stufte so imbarqued, shipped, carried, loaden, or conveyed, if the same may bee seised upon; and if the same may not be seised upon, that then hee shall forfeit the treble value of the cloth, worke, or stufte so imbarqued, shipped, carried, loaden, or conveyed; and that the one halfe of every the said forfeitures

Treble value, if by one not free and inhabitant.

feitures shall be to the seisor or to the informer of the offence, before the judges hereafter to be appointed by this act, and the other halfe to the Queen's Majestie, her heyres and successours. And if the said cloath, worke or stufte shall fortune to be imbarked, shipped, carried, loaden or conveyed in any creek or place out of haven or port, citie or towne, then the one halfe of the forfeiture to be to the seisor or informer as before, and thother half to the Queen's Majestie, her heires and successors.

A. D.

1571.

Chap. I.

So if it be shipped in a place out of the haven of city or town.

III. And be it further enacted by the authoritie aforesaid, That the said forfeitures and every of them shall be demaunded, sued for, and impleaded before the ordinarie judges within every citie, borough or towne priviledged, by playnt, information, bill, action, or other kind of suit, after the manner, order and custom of the same citie or towne, or before any the Queen's Majesties ordinary judges of her Highnesse courts in this realm, at the pleasures of the partie plaintife, pursuant or informant; any limitation of use of forfeiture to the corporation of the city or towne, or any other matter or cause to the contrary notwithstanding. And that in any such action, bill, plaint, information or suit, no essoine, protection or wager of law shall be admitted or allowed.

Where the forfeitures to be sued for.

IV. And to the intent that this act may take the better and more sure effect; be it likewise enacted by the said authoritie, That no licence of dispensation to be made or graunted by the governour or governours of this realm, for the time being, under the great seale of this realm, or in any other manner, for dispensation with this act, or any braunch, clause or article thereof, shall be of any force, strength or effect in the law, but shall be utterly voyde to all intents, constructions and purposes; any prerogative, law, usage, prescription, custome or matter, to the contrarie in any wise notwithstanding.

No dispensation of this act.

V. And be it enacted by the authoritie aforesaid, That all and singular person and persons, that before the making of this act, were free and discharged of custome to the Queen's Majestie, her heyres and successours, or to any other corporation or person, by charter, graunt, incorporation, and other title whatsoever, shall be and continue free and discharged of and from any custom to be due of the commodities and things specified in this act, as they were and ought to be before the establishment hereof, and not otherwise; any thing conteyned in this act, or any other cause, thing or matter to the contrarie in any wise notwithstanding.

Persons discharged of custom before, continue free.

VI. Provided also, and be it enacted by the said authoritie, That this act, nor any braunch or article thereof, shall not be extended or construed, to touch any English merchant or stranger that shall bring into this realm iron, salt, wine, graine, or other merchandises, but that every such merchant, their servants or factours, shall and may transport any of the cloath worke or stufte before mentioned, which he shall receive as exchange for the wares and

English merchants or strangers importing merchandise, may transport cloth or stuff received in exchange, and bought of a merchant.

A. D.

1571.

where they
discharge,
and paying
custom due.

merchandizes so brought into this realm, and which hee shall buy with such money, gold or bullion, as the same merchant or stranger and everie of them shall bring into this realm, as with the money made of such his or their merchandises within the citie or borough, or priviledged towne where he shall make his discharge, so that the same merchant or stranger, his factor or servant, do take or buy the same of a merchant stapler, or merchant of the said citie, or priviledged and incorporate town, where he doth discharge, paying to the Queen's Majestie, her heyres and successours, all customs and duties due, and to be answered in and for the same, as have been used and accustomed for yarn, and other the wares afore specified, before the making of this act, and not otherwise; any thing in this act to the contrary notwithstanding.

Merchants
of boroughs,
&c. not being
haven or port
towns, may
transport said
goods, paying
the custom.

VII. Provided also, and be it enacted by the authority aforesaid, That the merchants of boroughs and priviledged and incorporated towns, not being haven or port townes, shall by themselves, their factours and servants, have free libertie to transport any and every the said cloath, work and stufte, mentioned in this act, from time to time, in every haven and port of this realm, paying and answering the customes and charges due, of and for the things to be transported as have been accustomed and used in manner aforesaid, without interruption, any law, custom, franchise or other matter heretofore made and used, or hereafter to be made and ordained within any port or haven, citie or towne of this realm, to the contrarie hereof in any wise notwithstanding.

Lords, &c.
not inhibited
to transport
for their own
necessaries, or
to their
friends, so as
not used for
trade of mer-
chandize.

VIII. Provided also, and be it enacted by the said authoritie, That this act, nor any braunch nor article thereof, shall not bee extended or construed to touch any of the Lords spirituall or temporall of this realm, nor any of her Majesties counsell of the same, or gentlemen to inhibit them, or any of them to load or transport any of the sayd cloath, work or stufte before mentioned for his or their owne necessaries, or to send to any his or their friend from time to time, so as they, nor any of them, do not use the same for any accustomed trade of merchandize; any thing in this act conteyned to the contrarie notwithstanding.

C H A P. II.

An Explanation of the Act made in a Cession of this Parliament for the staying of Wooll, Flockes, Tallow, and other Wares and Commodities mentioned in the said Act, and certaine Articles aded to the same Act.

Recital of
Stat. 11 Eliz.
10.

WHERE an act passed in a cession of this present Parliament, whereby it was enacted and established, "That the Queen's Majestie, her heires and successours, should have certaine custome out of wooll, flocks, flaxe, linnen yarn, wollen yarn, sheepfell, calfsfell,

calfefell, goatefull, red dearefell, fallow dearefell unwrought, beefe, tallow, waxe, and butter, that should be put, carried, or loaden into any ship, barque, pyckard, boate, or vessell, to the intent to carrie the same out of this realm; and that the cities and corporate townes, from whence the said wares, victuals, and other things should be transported, imbarqued, and carried away, should also have certain customs therefore; and that he, that should so put, carry, or load the same wares, victualls, or commodities, or any of them, into any ship, barque, pyckard, boate, or vessell, to the intent to carry the same out of this realm, should pay certain forfeitures to him or them, that would sue therefore by action of debt by writ at the common law, playnt in any court of record within this realm, or by information in the exchequer of the same realm; and that the owner, purser, or any officer or master of any ship, barque, pyckard, boate, or other vessell, wherein any of the said wares, victualls, or other the premisses, should be so imbarqued and put before payment and satisfaction made to the Queen's Majestie, her heyres and successours, and also to the said cities and incorporated townes, of the said customs, should forfeit every such shipe, barque, pyckard, boate, or other vessel, wherein the premisses or any of them should be so imbarqued, loaden, or put; the one halfe thereof to be to the Queen's Majestie, her heyres and successours, and the other half to him or them that shall present, or enform the same before the barons of the exchequer for the time being in this realm; and that the concealing of every such imbarquing, loading, or carrying out of this realm of any of the premisses by the searcher, his deputy, factour, or attourney of any port, haven, or creek within this realm, should be felonie in the sayd searcher, his deputy, factour, or attourney, as by the said act more plainly appeareth: the meaning of which act was to stay the sayd commodities to be wrought within this realm; whereby manie now living idly within the same realm should be set to worke, and many English artificers allured to come to the same realm to worke the premisses, to the great commoditie, profite, and increase of civilitie of the same realm;" which good meaning of that good law, made for the common-wealth of this poore realm, was and is dayly sithence the establishing thereof deceyved by divers evill disposed persons, who do subtilly and craftily steal and convey the premisses out of this realm, without any entre made in any customers books, or custome payed of or for the same; and such wicked and malicious devices daily invented to transport and carrie the premisses out of this realm contrarie to the good meaning of the said statute, the hinderance of her Majesties said custome, and to the utter undoing of diverse merchants and other good members of the common-wealth of the same realm, who bestowed the most part of their substance in buying of tools, and bringing of good civill artificers out of England and other countreyes and realms to

Meaning thereof to stay commodities to be wrought within the realm.

Said stat. evaded.

To the ruine of many merchants.

A. D. 1571. Chap. 2. work the said commodities within this realm, as it is very like there will be more scarcitie of the said commodities within this realm from henceforth, then there hath been before the making of the said statute, if some politique remedie be not speedily provided for the same.

Enacting
part.

If wooll, &c.
shipped be-
fore entry,
and the cus-
toms in the
Stat. 11 Eliz.
paid,
forfeiture,

II. In consideration whereof the commons of this poore realm of Ireland most humbly beseecheth your Majestie, that it may be it enacted, and be it enacted by your most excellent Majestie, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That whatsoever person or persons shall from henceforth ship, load, imbarque, put, convey, or carry away in any ship, barque, pyckard, boat, or other vessel whatsoever, any wooll, flockes, flaxe, linnen yarn, woollen yarn, sheepfell, calfefell, goatefell, red dearefell, fallow dearefell unwrought, beefe, butter, tallow, or tallow wrought in candles or otherwise, wax, or wax wrought in candles or otherwise, within any haven, creek, or place within this realm, before entrie thereof made, and all and singular the customes specified in the said former statute well and truely contented, satisfied, and payed, according to the tenour, and effect, and meaning of the sayd statute, that all and singular the said wooll, flocks, flaxe, linnen yarn, woollen yarn, sheepfell, calfefell, goatefell, red deerefell, fallow deerefell unwrought, beefe, butter, and tallow, tallow wrought in candles or otherwise, wax, or wax wrought in candles or otherwise, so shipt, loaden, embarked, put, conveyed, or carried away in any ship, barke, pickard, boat, or other vessel whatsoever, before entrie thereof made, and the said customes payed and satisfied as aforesaid, shall be forfeited; the one halfe thereof to the Queen's Majestie, her heyres and successours, and the other half to him or them that shall find and espie the same; and that every person and persons, that so shall find or espie the premises or any of them, as aforesaid, shall and may lawfully take, seise, carrie away, and keep the same and every parcell of them, so found and espied, to the Queen's Majesties use for the one moietie or halfendells, and for the other moitie or halfendell to the use of such person or persons as shall so find or espie the same.

And felony.

III. And be it further enacted by the authoritie aforesaid, That every such shipping, loading, embarking, and putting into any ship, barke, pickard, boate, or any other vessel whatsoever, of any of the premises in any port, haven, harbour, or creek, within this realm, before entrie of the same and the customes aforesaid well and truely satisfied and payed according to the tenour and effect of the said former statute, shall be adjudged and deemed felony in all and every such person and persons, their ayders, consenters, and assistants, that will so ship, load, imbarque, and put the premises into any ship, barke, pickard, boate, or other vessel before entrie made, and the said customes payed as aforesaid; and that the same

same persons, their aydors, consenters and assistauntes so to doe, shall have the same order of proceffe, inquirie, triall, judgement, forfeiture, and execution, as in cases of felonie is used by the common law in this realm. And that the justices of peace at their sessions, and all and every officer and officers within cities and incorporated towns, having authoritie to bee justices of peace, or of gaole delivery, within the said cities and incorporated towens, shall and may lawfully inquire, here, and determine all and singular the premisses made felony by this act.

IV. And bee it further enacted by authoritie aforesaid, That every pack or fardell, cheste, truncke, or other thing loaden, shipped, carried, sent, or conveyed to any place within this realm, to the intent to be shipped or loaden, wherein any manner of yarne, woll, flockes, flax, sheepsfell, calvesfell, goatsfell, red deersfell, fallow deersfell unwrought, bease, butter, tallow, or tallow wrought in candles, or otherwise, wax, and wax wrought in candles, or otherwise, shall be set, packed or enclosed, shall be seised and forfeited, whereof the one half to be to our said soveraign Lady, her heyres and successours, and the other halfe to him or them that shall so seise or take the same, or sue for the same by action of debt, bill, plaint, information, or otherwise, in any of the Queen's Majesties courts, wherein the partie defendant shall not wage his law, ne in the same any essoine or protection shall be allowed; any prerogative, law, usage, prescription, custome, cause, or matter whatsoever to the contrarie in any wise notwithstanding.

V. Provided alway, and bee it enacted by the authoritie aforesaid, that this act, nor any thing therein conteyned, shall extend to take away the force, or effect of any clause, sentence, article, proviso, or saving comprised in the said former act, but that the said former act shall bee, and remaine of such force and effect, to all intents and purposes, as if this act were never had, ne made; any thing in this act conteyned to the contrarie in any wise notwithstanding.

VI. And to the intent that this act may take the better, and more sure effect, bee it enacted by the said authoritie, that no licence, or dispensation, or pardon, for forfeiture of any goods and chattles, that shall be forfeited by this act, to bee made, or graunted by any governour, or governours of this realm, for the time being, under the great seale of this realm of Ireland, or in any other manner whatsoever, to be graunted by the said governour, or governours, for dispensation with this act, or any braunch, clause, or article thereof, shall bee of any force, strength, or effect in the law, but shall be utterly void to all intents, constructions and purposes; any prerogative, law, usage, prescription, custome, or matter to the contrarie in any wise notwithstanding.

VII. Provided alway, and bee it further enacted by the authoritie aforesaid, that it shall bee lawfull to and for any, and every

A. D.
1571.
Chap. 2.

Where the
felony to be
inquired.

Every pack,
etc. loaden,
shall be seised
and forfeited.

The former
act to remain
in force.

Licence,
dispensation,
or pardon of
forfeiture, by
the governor
void.

Inhabitants
of the coun-
ties of Wa-
terford, &c.
may carry

A. D. 1571. Chap. 2. the inhabitants or dwellers within any and every of the counties of Waterford, Wexford, Catherlagh, Kildare, the King's countie, the Queen's countie, Kilkenny, Tipperarie, Corke, Limericke, Clare, and Kerry, to carrie, loade, transport, and convey any of the wares, merchandises, victualls, and other prohibited wares in this act, above specified, in any feryboate, or other small boat or vessell, upon any of the rivers, being and running within any and every of the said counties above mentioned, to and fro any and every citie or towne within the said counties, or any of them, so as the same wares, merchandises, victualles, and other the prohibited wares, or any part or parcell of them, bee in no wise, nor by any manner of meanes carried, transported, or conveyed out of this realm; any thing in this act conteyned, to the contrary in any wise notwithstanding. And also that it shall be lawfull to and for every subject of this realm, to ship, lade, transporte, carrie, and convey by sea, or other water, flesh, tallow and butter, or any of them, out of any port, haven, or creeke of this realm, onely for victualling, furniture, and provision of any army, campe, garrison, or warde of her Majestie, her heires and successours, being or residing in any place within this realm, so as the same, or any part or parcell thereof, bee not in any wise transported, carried, or conveyed out of this realm; any thing in this act conteyned to the contrarie notwithstanding. And that it shall be also lawfull for, and to any and every subject of this realm to ship, carrie, loade, transporte and convey, any flesh, tallow and butter, out of any haven, porte, or creek of this realm, having not therefore the Queen's Majesties, her heyres and successours, any customer, or other ordinarie officer, for the receipt of entries and customes, so as the same flesh, tallow and butter, or any part or parcell thereof, be in no wise carried, or transported out of this realm, but discharged in any citie, port, or haven, within this realm, where there is, or shall be such customer, or other ordinary officer, and therefore true entrie made of the quantity of the same in the said customer, or other officers bookes, and that the same entrie truely certified by the said customer, or other officer, into her Majesties exchequer, and the exchequer of her heyres or successours, within twelve dayes after the beginning of every term, after such entrie made with any customer, or other officer as aforesaid. And further, that it shall bee also lawfull, to and for any and every subject of this realm, to loade, ship, transporte, and carrie any flesh, tallow or butter, out of any haven, port, or creek of this realm, having any customer, or other ordinarie officer of the Queen's Majestie, her heyres and successours, for receipt of entries and customes there: so as the same subject, from time to time, as often as he shall so ship, embarke, or load any flesh, tallow, or butter, there enter in bond obligatorie to the said customer, or other ordinarie officer for the time being, to the Queen's

saide wares in a ferryboat or small vessel upon the rivers, so as the same not transported.

Flesh, tallow, or butter, may be conveyed by sea for the provision of the army within the realm,

or out of any port where no customer, so as it be discharged in any port where there is a customer, and entry made, and certificate thereof into the exchequer in 12 days after the beginning of the next term:

or out of a port where there is a customer, and a bond entered into to him in double the value, to use of the Queen, to discharge such goods in any city where there is a customer, said bond to be certified in three months into the exchequer, if then open;

Queen's Majestie, her heyres and successours use, in the double value of the goods so shipped, imbarqued, and loaden, there to discharge and unlade the said flesh, tallow, or butter, in any citie or towne within this realm, where such a customer or other ordinarie officer as aforesaid, remaine, and is appointed: and that the said bonds obligatorie so taken, and duely perfited, shall be by the said customer, or other ordinary officer, certified within three months next after the taking of every such bond obligatorie, into the Queen's Majesties exchequer, and the exchequer of her heyres and successours of this realm, if then the sayd exchequer shall open; and if the sayd exchequer shall not be open at or before the end of every such three monthes, then the said customer, and other ordinarie officer, as aforesaid, to certifie the same into the exchequer, the first day of the next tearm then next ensuing, there to be sued against the partie offending contrarie to the tenour of this act, by action of debt, bill, or information in the sayd exchequer; and so that the flesh, tallow, or butter so shipped, imbarqued and laden, nor any part nor parcell thereof, bee in any wise transported, carried or conveyed out of this realm.

VIII. And bee it further enacted by the authoritie aforesaid, that all and singular the customer and customers, and other ordinary officer or officers, within any citie, towne, port, haven, or creek of this realm, shall have full power and authoritie from time to time, to receive and take the said bonds to the Queen's Majesties use, and to the use of her heyres and successours; and that all and singular the said bonds, so taken and received, shall stand in full force and effect, to charge the person and persons, so bounden and offending, contrary to this act, to all intents, constructions and purposes; and that for making of every such bond, the sayd customer, or other ordinary officer, shall receive twelve pence of him or them that shall be bound by the same, and no more. And if the said subject deliver to the barons of her Majesties said exchequer, or to the barons of the exchequer of her Highnesse heyres and successours, a certificat under the customer, or other ordinarie officers hand, and cocket seale of the port, or haven where the said flesh, tallow, or butter, or any of them hath been so discharged, and unladen within this realm, before suit used against him upon the sayd bond, that then the sayd bond to bee voyd, and of no force in law; any thing in this act conteyned to the contrary notwithstanding.

IX. Provided also, and be it further enacted by the authoritie aforesaid, that it shall bee lawfull to and for any, and every subject of this realm, dwelling within the isle of Lambey, to lade, ship, transport and carry, out of any port of this realm, into the same isle of Lambey, any flesh, tallow, and butter, for the necessarie, and onely victualling, finding, and expences of their households there, within the same isle. So as the same flesh, tallow, or butter,

A. D.
1571.
Chap. 2.

if not, the first day of the next term, there to be sued against the offender.

Customers to have power to take such bonds to the Queen's use.

and receive 12d. from obligors for making the same.

If before the bond sued, a certificate under customer's hand and cocket seal of the port where discharged, is delivered to the barons, said bond to be void.

Inhabitants of Lambey may transport necessaries into that isle, so as no part thereof conveyed to any other realm

A. D. or any part or parcell thereof, be in no wise carried, transported
 1571. or conveyed out of the same isle of Lambey, to any other realm
 Chap. 2. or land whatsoever, unless it be to some port of this realm,
 unless to some where there is such customer, or other ordinarie officer for receiv-
 port in Ire- ing of entries and customes, and a true entrie thereof made there
 land, where in the said customer, or other ordinary officer for the time being,
 such customer his bookes, and the same entrie and discharge truly certified by the
 is, and entry sayd customer, or other ordinarie officer for the time being, into
 and discharge the exchequer of her Majestie, her heyres and successours of this
 certified. realm, before the end of the next tearme, after the said entrie; any
 thing in this act conteyned, to the contrarie in any wise notwith-
 standing.

Forfeiture
without entry.

X. And bee it further enacted, by the authoritie aforesaid,
 that no subject dwelling within the sayde isle of Lambey, or else
 where, carrie, embarque, transporte, or loade any flesh, tallow, or
 butter, into the said isle of Lambey, out of any haven, port, or
 creek of this realm, having any such customer, or other ordinarie
 officer for receiving of entries and customs, before entrie made of the
 same in the sayde customer, or other officers bookes, upon the
 paines and forfeitures comprised within this act: and that the sayd
 customer, or other officer, doe certifie the same into the exchequer
 of this realm, before the end of the next tearme following the same.

Certificate
of customer,
&c. sufficient
evidence to a
jury against
offenders.

And that all and singular the certificat and certificates of any cus-
 tomer, controller, or any other officer or officers, of any citie, town,
 port, haven, or creek, within the realm of England, or elsewhere,
 in writing, under his or their seale or seales of his or their office
 or offices, certifying the entrie and discharge of any of the said pro-
 hibited wares, merchandises, victualls, and commodities, prohibit-
 ed by this act, to be carried, or conveyed out of this realm, shall
 bee, from time to time, a sufficient evidence and proof against any
 that shall offend contrary to this act, to be ministered to any jury
 in any action, suit, information, or inditement to be brought, pro-
 poned, or set forth against any such offendour or offendours, for
 offences mentioned in this act: any law, custome, prescription,
 matter, or cause whatsoever to the contrarie in any wise notwith-
 standing.

Customer
not making
certificate, to
forfeit 10l.
half to the
Queen, half
to informer.

XI. And bee it further enacted by the authoritie aforesaid
 That every customer, and other ordinarie officer of any port,
 haven, or creek of this realm, shall from time to time make the
 certificats mentioned in this act, according to the tenour and true
 meaning of the same, upon paine of forfeiture of tenn pounds
 lawfull money of Ireland, for every time that any of them shall
 refuse or neglect so to doe, the one half of which forfeitur to
 bee to the Queen's Majestie, her heyres and successours, and the
 other half to him or them that will sue for the same, by action
 of debt or information, before the barons of the exchequer of
 this realm for the time being.

XII. Provided alway, and be it enacted by authoritie aforesaid, A. D. 1571.
That this act, ne anie clause, article, matter, thing or things therein conteyned, shall not extend nor be of force to take from any lord spirituall or temporall, bodies politique and corporate, ne to any other person or persons, their heyres, successeurs and assignes, any right, title, or forfeiture, that to him or any of them did belong, before the making of this act. The right of others to forfeitures saved.

C H A P. III.

An Act for the Attainder of John Fitz Geralde, called in his life time the White Knight, otherwise called John Oge Fitz John Knight Fitz Gybbons.

WHERE the just judgment of God hath cut off from the bodie of this your Majesties common wealth, that unnatural, unkind and corrupt member, named John Fitz Gerald, called in his life time the White Knight, otherwise called John Oge Fitz John Knight Fitz Gibbons, having been so heynous an offendour of your Majestie and your lawes, as one of the principall and chiefeft actuall doers in this last rebellion, as God mought not of his justice suffer him to live, to so extream danger of this your Majesties realm, and of all the good members of the same; yet considering that his most trayterous, cruell, and ingrate doings in his life, were so pernicious and perilous an example, together with his continuance in his false and trayterous intents and purposes against your Highnesse, and the whole estate of your realm, as the same do require extreame correction and punishment, to the terrour and feare of all others, which his offences neither were, ne conveniently could have been in his life time, condignly punished and corrected: it may therefore please your most excellent Majestie, that it may bee enacted, and be it enacted with your Highnes assent, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authority of the same, That the sayd John Fitz Gerald, called in his life time, the White Knight, by whatsoever estate, degree, name, surname, or condition hee was called or knowen, for the said trayterous offences, rebellion, confederacies, adherencies, and deeds by him most disloyally committed and perpetrated, shall be by the authoritie of this present Parliament, adjudged and attaynted, from the first day of Aprill, in the eleventh yeare of your Majesties reign, traytour of high treason, and that the same John Fitz Gerald, called, in his life time, the White Knight, shall forfeit and lose to your Majestie, your heires and successeurs, all such castels, manors, meases, lands, tenements, meadowes, leases, pastures, woods, waters, rents, reversions, remaynders, services, offices, fees, annuities, uses, possessions, rights, conditions, commodities, and all other hereditaments, John Fitz-gerald, or the White Knight, attainted after his death. Forfeiture of all his lands, &c.

A. D. 1571. *Chap. 3.* ments, of what names, natures, or qualities soever they be; and also all such goods, cattels, and debts, which the same John Fitz Gerald called in his life time, the White Knight, had enjoyed, or was seysed or possessed of the said first day of April, in the said eleventh year of your Majesties raigne, or at any time sithence, and all such rights, titles, estates, interests, uses, and possessions, which he had the said first day of April, or at any time sithence, of, in, or to the sayd castles, mannours, and other the premisses, and every part and parcel of them, and that all such castles, mannours, meases, lands, tenements, meadowes, leafes, pastures, woods, waters, rents, reversiones, remaynders, services, offices, fees, annuities, uses, possessions, tyethes, rights, interests, conditions, commodities, and all other hereditaments, shall be by the authoritie aforesaid, adjudged, vested, and deemed to be, in the actuall and reall possession of your Majestie, from the said first day of Aprill, in the said eleventh year of your reign, without any office or inquisition thereof to be taken or found, according to the common or statute laws of this your realm.

Vested in
the Queen
without any
office or in-
quisition.

Saving the
rights of
others.

II. Saving, and be it enacted by authoritie aforesaid, to all and every person and persons, and bodies politique and corporate, and their heyres, assignes, and successours, and to everie of them, other then the said John Fitz Gerald, called in his life time, the White Knight, and his heyres generall and speciall, hereafter clayming the premisses, or part of them, as heyre, or by any conveyance to be made by or from the said John Fitz Gerald, called in his life time, the White Knight, and all and every other person and persons clayming by him or to his use, or to the use of any his heyres generall or speciall, all such rights, titles, interests, leafes, fees, rents, services, charges, rent seck, and all other commodities, profites and hereditaments whatsoever, that they or any of them had, might, could, or ought to have had, if this present act had never been had ne made.

This act
not to extend
to the estate
of his wife.

III. Provided alwayes, and bee it enacted by the authority aforesaid, That this act shall not extend to any lands, tenements, or hereditaments, with their appurtenaunces, that the wife of the said John Fitz Gerald, called in his life time, the White Knight, had in her owne right, in use, possession, remainder, reversion, or otherwise in estate of inheritance, or to any lands, tenements, or hereditaments, with their appurtenances that were ensured by any conveyance to his said wife, or to any to her use, before the said first day of Aprill, but that shee and her assignes, and all and every other person or persons seysed to her use, shall enjoy and have the same lands, tenements, and hereditaments, with their appurtenances so ensured and conveyed, and that shee, and her heyres generall and speciall, and all and every other person and persons seised to her and their use and uses, shall have and enjoy the said lands, tenements, and hereditaments, with their appurtenances that shee had

in

in use, possession, reversion, remaynder, or other title of estate in inheritance according to her and their title in and to the same, as if this act had never beene had ne made; any thing in this act conteyned to the contrary notwithstanding.

A. D.

1571.

C H A P. IV.

An Act authorising the Primat of Ardmagh to set his Landes and Possessions in the Irish Pale for Years without the Assent of his Chapter. Rot. Parl. cap. 2.

HU MBLY prayeth unto the Queen's most excellent Majestie, and to the lords spirituall and temporall and the commons in this present Parliament assembled, Thomas, by the permission of God, now archbishop of Ardmagh, and primat of all Ireland, That whereas the most part of such temporall hereditaments, as to the see of his said archbishopricke belongeth, lyeth in Ulster, remote from civill inhabitaunts, and for lacke of such civill inhabitaunts is partly usurped by rebels and outlawes, people of the Irish nation, or else lyeth wast and desolate by reason of their evill neighbors, amongst whom no civil and well disposed people would be induced to inhabit, unless in such sufficient number as may be of strength able to defend and mayntaine themselves, and with such estate and correspondence of tenure and rent, as might countervayle their so great adventure and charges; the which to bring to passe and so to graunt lieth not in the said reverend father onely, forasmuch as any such estate cannot extend longer than for his owne time, and with any decrease of rent of olde time had therefore, although not these many years receivable, nor at this time, with these difficulties aforementioned, reasonably nor like to be taken at his hands, but with such estate of tenure, and for such rent, as may be alluring and easie commodities for the time, but by and with the assent and consent of the deane and chapter of the cathedrall church of Ardmagh of that his see, whom to congregate, being in remot places, except a verie few of them, both by nation, education, and custom, Irish, Irishly affectioned, and small hope of their conformities or assent unto any such devises as would tend to the placing of any such number of civill people there, to the disadvantage or brydling of the Irish, although thereby weare to be hoped should arise not onely to the said reverend Father and his successours reasonable profite and revenue towards his and their better mayntenaunce, whereas these many years hath arisen little or none, and to the Queen's most excellent Majestie the furtherance of her most godly intent in the planting of civilitie, obeyfance, and force of her good subjectes there, and the banishing of the outlawes and rebellious people, but also to helpe the common wealth in obedient amendement: for remedie in which behalf it may be enacted, and be it therefore enacted by her most excellent Majestie, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, enacted, ordeyned, and established, That all and singlar such leases, being under the number of one hundred years, as the said archbishopp of Ardmagh, or his successours, shall make or passe under the seale of the said archbishopricke unto any person or persons born in the realm of England, or of the English and civill nation, borne in this realm of Ireland, of any whatsoever lordshippes, manours, lands, tenements, or hereditaments, or of any parte or parcel of them, or of anie of them, to the see of the sayd archbishopricke belonging, and scituate beyond the limits of the English pale, and beyond Dondalke northwards or westwards, not being inhabited or occupyed at this day by any of the English byrth and nation of this realm, or of England, but being wast and desolat grounds, taken up by the Irish, reserving unto the said archbishop and his successours, archbishops, upon every such lease or leases for and during all the terme demysed, graunted, or passed by the same, the yearlie rent of four pence, currant money of Ireland, or more, and not under, for every acre of land of Fingall measure, so demysed or graunted by that lease or graunt, shall be of like and in as good force and validitie in law to all purposes and constructions for and during the whole terme and years, demysed, graunted, or passed by the same, as if the common assent and seale of the afore specified deane and chapter were affixed thereunto.

Expired.

Enacting part.

Archbishop of Armagh may make leases of lands belonging to the see, beyond the English pale, under 100 years, to persons of English birth, reserving four pence per acre, or more, without assent of the dean and chapter.

A. D.
1571.
Chap. 4.

Not to extend
to the demefne.
Nor to any
leafe made after
12 years next,
Nor to leafe
in reversion.

Leffees not
to alien to per-
fons not of
English birth.

II. Provided alway, and be it enacted, That this act, or any thing therein containd, shall not extend for paffing or leaſing of the fee, place, court or houſe of Ard-magh, or any part or parcell thereof, or of any lands or hereditaments, temporall or ſpirituall, belonging to the ſame as the demaynes thereof; but that the ſame ſhall be and remain alway to the uſe and behoofe of the ſayd archbiſhop and his ſucceſſours.

III. Provided alſo, That this act, or any thing therein containd, ſhall not extend to any leafe made or to be made after the end of twelve years next enſuing the laſt day of this preſent Parliament, nor to any leafe to be made in reversion of and upon a leafe in poſſeſſion.

IV. Provided alſo, That in every leafe to be made by the force of this act the leſſee or leſſees, their executors and aſſignes, ſhall be tyed under condition of loſſe of his and their intereſt, that they, nor any of them, ſhall not depart with their intereſt, nor with any part thereof, to any perſon or perſons, that ſhall not be of the Engliſh birth and nation of this realm or of the realm of England; otherwiſe, and for default of ſuch condition, the leafe to be of no force or effect.

The twenty seventh Year of Elizabeth.

Stat', Ordination', Acta & provisiones ædit. in prima Sessione Parliamenti illustrissimæ Principis Dominæ nostræ *Elizabethæ*, Dei gratia, Angliæ, Franciæ, & Hiberniæ Reginæ fidei defensoris, &c. Virtute commissionis & mandati dictæ Dominæ Reginæ sub magno Sigillo suo Angliæ, tent. apud Dublin, die Lunæ proximo post festum Sancti *Marci* Evangelistæ, videlicet vicesimo sexto die Aprilis, Anno Regni prædictæ Dominæ Reginæ vicesimo septimo coram prædicto & fideli Consiliario suo *Iohanne Perrot* milite, Deputato suo generali Regni sui Hiberniæ, & ibidem continuat' vsque ad vices. quintum diem Maij eodem Anno.

Nec non,

Statuta, Ordinationes, Act' & provisiones ædit. in secunda Sessione Parliamenti illustrissimæ Principis Dominæ nostræ *Elizabethæ*, Dei gratia Angliæ, Franc', & Hiberniæ Reginæ, fidei defensoris, &c. virtute commissionis & mandati dictæ Dominæ Reginæ sub magno Sigillo suo Angliæ, tent. apud Dublin super diversas prorogationes & adjournament', coram prædicto & fideli Consiliario suo *Iohanne Perrot* milite, Deputato suo generali Regni sui Hiberniæ, xxvi. die Aprilis, Anno Regni dictæ Dominæ Reginæ xxviii, & ibidem continuat' vsque ad xiiii. die Maij tunc proxim' sequentem, & eodem xiiii. die Maij dissoluti, finiti & terminati.

C H A P. I.

An Act for the Attainder of James Eustace, late Viscount of Balinglas, and others.

IN their most humble wise beseechen your most excellent Majesty, the lords spirituall and temporall, and all other your loving and obedient subjects, the commons in this your most high court of Parliament assembled, that where James, late vis-

A. D.
1585.

James Eustace, viscount of Balinglas,

A. D.
1585.
Chap. I.

and his brethren, attainted.

Some of whom had been outlawed, others convicted, and suffered death.

Confirmation of said attainders, &c. notwithstanding errors.

Extending to others who died in their rebellion or treason, or executed by martial law.

count of Baltinglas, Edmund Eustace, Thomas Eustace, Walter Eustace and Richard Eustace, brethren to the sayd late viscount, most falsly and trayterously, some of them by open rebellion in divers parts of your Majestie's realm of Ireland, and others by fundry confederacies, combinations and conspiracies, and other overt facts, have committed, perpetrated, and done many detestable and abominable treasons against your Highnesse, to the great perill and danger of the utter destruction and overthrow of the good estate and publique peace of this your Highnesse said realm of Ireland, if God of his infinite goodnesse had not in due time opened and revealed to your Highnesse their trayterous intents and purposes, and discomfited them in the same; of, and for which treasons being most manifest and apparent, some of the said traytours and offendours before named, have been and are lawfully, and by due processe outlawed, and thereby justly attainted, and some of them have been and are justly and lawfully convicted and attainted by tryall of the country, according to the laws of this your sayd realm of Ireland, as by the records of their severall indictments and attaindours more plainly it doth and may appeare, and for the which severall offences, some of the sayd offendours have suffered paynes of death according to their demerites: It may therefore please your Highnesse of your most gracious and accustomed goodnesse, and for the entire love, favour and heartie affection that your Majestie hath alwayes heretofore borne, and yet beareth to the common wealth of this your sayd realm of Ireland, and for the good preservation of your most excellent Majestie's government of the same, and of the good peace, unitie, and rest of all us your most bounden and obedient subjects thereof, to graunt and assent at the humble suite and petition of your said loving and obedient subjects the lords spirituall and temporall, and the commons in this present Parliament assembled, that all and everie the said convictions, outlawries and attaindours of all and every the said offendours, may be approved and confirmed by the authoritie of this present Parliament. And be it enacted that the same convictions, outlawries, and attaindours, and every of them shall be and remaine sufficient and effectually in law to all intents, constructions and purposes; any error, insufficiencie, or other defect in forme or matter in them or any of them, to the contrary notwithstanding.

II. And that it may be further enacted by the authoritie aforesaid, That as well the said James, late viscount of Baltinglas, and all other the said offendours and persons before named, as all such others who by actuall rebellion, and other trayterous practises most trayterously and abominably have committed like abominable and detestable treason and rebellion, and have dyed and been slaine in their said actual rebellion and treasons, or otherwise been by martiall law executed for the same, and every of them for their sayd abominable and detestable treasons, by them and every of them
most

most abominably and trayterously committed, perpetrated and done against your Highnesse and this your said realm of Ireland, shall be by authority of this present Parliament convicted and attainted of high treason. And that as many of the said offendours and persons before named, as be yet in life and not pardoned for the same shall and may, at your Highnesse will and pleasure, suffer payns of death, as in cases of high treason. And that the said James, late viscount of Baltinglas, and every other of the said offendours and persons attainted before named, aswell such of them as be yet in life, as also such of them as be put to execution for their sayd treasons, or otherwise dyed, been slain or executed by martiall law, as is aforesaid, shall lose and forfeit to your Highnesse, and to your heyres and successours, all and every such honours, castles, mannours, mesuages, landes, tenements, rents, reversions, remainders, possessions, rights, conditions, interests, offices, fees, annuities, and all other their hereditaments, goods, cattells, debtes, and other things of whatsoever names, natures or qualities they be, which they the said offendours and persons before named, or any of them had, to their or any of their use or uses, or which any other had to their or any of their uses the day of the said several treasons by them or any of them committed, perpetrated or done, or at any time sithence. And that all and singular the said honors, castles, manors, mesuages, lands, tenements, rents, reversions, remainders, possessions, rights, conditions, fees, annuities, and all other hereditaments, goods, chattels, debts, and other the premisses shall be deemed, vested, and judged to be in the actual and real possession of your Majestie, without any office or inquisition thereof hereafter to be taken or found. Saving to all and every person and persons, bodies politique and corporate, and to their heyres and successours, and to the heires, successours, and assigns of every of them, (other than the said James, late viscount of Baltinglas, and other the said offendours and persons attainted before named, and their heirs, and the heires of every of them, claiming any thing in the said honours, castles, mannors, mesuages, landes, tenements, and other the premises, or any part thereof, as heir or heirs to and from them or any of them, and all and every other person and persons claiming or having any thing in the said honours, castles, mannors, mesuages, landes, tenements, and other the premises, or any part thereof to their uses, or to the use of some or any of them, or to the use of any their said heirs) all such right, title, use, possession, interest, reversions, remainders, entre, condition, fees, offices, rents, annuities, leases, commons, action, suite, petition, execution, and all other hereditaments, and all actions and means to recover or obtain the same whatsoever, which they or any of them had, or ought to have in the premises, or any part thereof, at or before the said several treasons, by the said several offendours committed or done, in as large and ample manner, to all

A. D.
1585.
Chap. 1.

Their lands
&c. forfeited.

Vested in
the Queen
without office
or inquisition.

Saving the
rights of
others.

A. D. 1585. intents and purposes, as if this act had never been had or made; any thing therein contained to the contrarie thereof notwithstanding.

Chap. I.

Grants and leases by the Queen since the treasons committed shall not be avoided.

III. Provided alwaies, and nevertheles be it enacted by the authoritie aforesaid, that this act, or any thing therein contained, shall not in any wise extend to make void any graunt, gift, lease or demise made by our said sovereign Ladie the Queen of any of the said manors, landes, tenements or hereditaments, to any person or persons by letters patents under the great seal of Ireland, at any time or times sithence the said treasons committed, but that the same lessees and patentees, their heires, executors and assignes, shall and may have, hold and enjoy all and everie the lands, tenements, hereditaments, and other things whatsoever past and named to be past in the said letters patents, according to the severall estate and estates limited and specified in the same, and under such reservations, covenants, conditions, and other limitations and articles as are in such letters patents comprised and expressed, as well against the Queen's Majestie, her heirs and successours, as against all and every other person and persons, their heirs and successours whatsoever.

Nor any pardon granted, either by proclamation or letters patent.

IV. And be it also further enacted, that this act, or any thing therein containd, shall not in any wise extend to take away or make voide any pardon heretofore made or graunted to the said persons and offenders, or any of them, before in this act mentioned, eyther by proclamation sent from her Majestie out of England, according to the contents of the said proclamation, or by her Highnesse letters patents under the great seale of this realm, but that the sayd persons, and every of them, to whom any such pardon is or hath been granted, shall and may have and take the advantage and benefit of every such pardon, and all things therein contained, in as large and ample manner, as they or any of them should, might, or ought to have done, if this act had never been had or made; any thing in this act containd to the contrarie thereof in any wise notwithstanding.

Against secret and fraudulent conveyances to defraud the Queen of forfeiture upon attainder.

3 Eliz. 2. 4.

28 Eliz. 5.

V. And where it hath been and is very much bruted and published abroad, and by fundry persons pretended, that divers and many of the said rebels and persons before mentioned to be attainted and named in this present act, and other records of the said severall attaindors, after they had intended and purposed to enter into their ungodly and divelish practise of rebellion and treason, did make divers secret and fraudulent estates and conveyances of their lands, tenements, uses, and hereditaments, to the intent thereby to defraud the Queen's Majestie of such forfeitures of their lands, tenements, uses and hereditaments, as her Highnesse by reason of their severall treasons should be entitled to have; and forasmuch as the said pretended fraudulent states and conveyances are yet kept secret and not openly published, and in time to come may be very dangerous, and likely to tend to disinherit the Queen's Majestie, her heires,

heires, successeurs, and assignes, of their estate and interest in such lands, tenements, and hereditaments, as her Majestie and her assignes now have or ought to have by reason of the said attaindors or of this present act, unlesse some provision be made, that such secret estates, conveyances, and assurances may in due and convenient time be openly published and brought to light: for remedy whereof be it enacted by authority of this present Parliament, That every person and persons, their heires and assignes, which have, hath, or claimeth to have, any state of inheritance, lease, use, or rent, not already entred of record, or certified in the Queen's Majestie's court of Exchequer in this realm of Ireland of, in, or to any mannors, landes, tenementes, uses, or hereditaments, by any graunt, assurances, or conveyances whatsoever had, made, or done by any of the said rebels, and persons before in this present act named and mentioned to be attainted, or by any seised to any of their use or uses at any time sithence the death of Roland late viscount of Baltinglas, and father to the said James, and the rest before named, viz. from the last day of March in the twentieth year of the raign of our said most gracious soveraign Lady that now is, shall within one year next ensuing the making of this act openly shew and bring forth, or cause to be shewed and brought forth, into the Queen's Majestie's said court of Exchequer, the same his or their graunt, conveyance, and assurance, which he or they have or hath, or pretendeth to have, of, in, or to any the said mannours, landes, tenements, uses, or hereditaments, and there in the term time shall offer and exhibit the said graunt, conveyance, and assurance, to be entred and enrolled of record; or else every such graunt, conveyance, and assurance, so had and made by any of the said rebels and persons before in this present act named and mentioned to be attainted, or by any other seised to any of their use or uses, and not so brought into the said court of Exchequer, and there exhibited within the year aforesaid, shall be utterly void and of none effect to all intents and purposes; any thing in the same conveyance contained to the contrary notwithstanding.

A. D.
1585.
Chap. 1.

Claims not already entered of record, or certified in to exchequer, by conveyance from said rebels from March 31st. 20 Eliz. in one year brought into exchequer to be entered and inrolled,

otherwise void.

VI. And be it further enacted by the authority aforesaid, That the treasurer, chauncellor, and barons of the said court of the Exchequer, or any of them, upon every such offering and exhibiting of any such graunt, conveyance, and assurance, hereafter in form aforesaid to be made, shall forthwith cause the same offer to be entered of record, and shall likewise cause the same conveyance and assurance in the same court to be entered and enrolled of record, without any fee or reward to be taken or had of the partie for the doing thereof: and after such offer made and recorded, it shall and may be lawful for everie person, which hereafter shall so exhibit and offer any such graunt, conveyance, and assurance, in the said court of Exchequer, at his libertie and pleasure at all times within one year then next following, to produce and bring before

Such conveyance entered and inrolled without fee.

And afterwards proof may be brought within one year of the said conveyance, bona fide, and examined in the exchequer.

A. D. 1585. the said treasurer, barons, and chauncellor, such testimonie, prooffe, and witnesses into the said court of Exchequer, there to be examined, as he can for the better prooffe of the said graunt and

Chap. 1.

Yet if afterwards upon information, &c. found, that such conveyance was made upon fraud or covin to deprive the Queen of forfeiture, void.

assurance, to be made (*bona fide*) and without any fraud or covin: and yet nevertheless if at any time after upon any information upon that cause or other information to be preferred and exhibited into the said court of Exchequer for and upon the behalf of our said soveraign Ladie the Queen, her heires or successours, or upon any action upon that cause or suit to be prosecuted by any the patentees of the Queen's Majestie, her heirs and successours, or by anie the heirs or assignees of anie of the same patentees, it shall happen to be sufficiently tried and proved by verdict of twelve men according to the common course of the laws of this realm, that anie of the said estates, assurances, and conveyances, made by anie of the said rebels and persons before in this act named and mentioned to be attainted, was made upon anie fraud or covin to the intent thereby to defraud the Queen's Majesty of such forfeitures, as might have growen or comen to her Highness by reason of anie of the said attaindours; that then every such estate, conveyance, and assurance, so tried and sufficiently proved as aforesaid to be had and made by and upon such fraud or covin, shall be utterly void and of none effect, to all intents, constructions, and purposes, until such time as such trial be lawfully undone by attaint or otherwise; any thing in the said conveyances to the contrary thereof in anie wise notwithstanding. Saving to all and everie person and persons, and bodies politick and corporate, their heirs and successours, and to the heirs and successours of everie of them, (other then such persons and their heyres, as be or have been parties or privie to any estates or conveyances made by fraud or covin, as is aforesaid, and other then such as shall not exhibite, offer, and shew forth their said graunts, conveyances, and assurances in the said court of Exchequer within the time to them before in this act limited) all such estate, right, title, and interest, as they or any of them have of, in, or to any of the said mannours, lands, tenements, uses, and hereditaments, or any parcell thereof, in as large and ample maner and forme to all intents and purposes, as if this act had never been had or made.

Saving the right of others.

Not to extend to leases of land, commonly let within 20 years, and not exceeding 21 years, or 3 lives, and where the usual rent or more reserved.

Nor to estate by copy according to custom of the manor.

VII. Provided always, That this act or any thing therein conteyned shall not extend to any lease of lands, tenements, or hereditaments, most commonly used to be letten to ferme for years or lives within the space of twentie yeares before the making of the same lease, and not exceeding the terme of twentie one yeares, or three lives, from the time of the making of the same lease, and whereupon the usuall accustomed yearly rent or more is reserved, nor to any estate by copy of any lands or tenements, made according to the custome of any mannour, whereof the same is parcell.

VIII. And where the said James, late Viscount of Baltinglas, or some or any of them, at the time of the said treasons committed and done, were and stood seised of any manours, landes, tenements or hereditamentes, to the use of any other person, bodies politique or corporate, not being attainted of treason, and not to their or any of their owne uses or behoofe; bee it further provided and enacted by the authoritie of this present Parliament, that all and everie such other person or persons, bodies politique and corporat, to whose use or uses the said James, late Viscount of Baltinglas, and other the persons in or by this act before named and mentioned to be attainted, or some or any of them were so seised as is aforesaid, the day of the said severall treasons committed, or at any time sithence, and the heyres and assignes of everie such other person and persons, shall and may from time to time enter into the same mannours, landes, tenementes and hereditamentes, and everie or any part thereof, as well upon the possession of our said sovereign ladie the Queen's Majestie, her heires and successoures, as of any other person or persons, and thereupon make and execute all and every such estates thereof to any other person or persons, and to such uses and intents, as they might have done, if the said attaindour or attaindours had never been had or made. And as touching such mannours, lands, tenements and hereditaments, whereof the said James, late Viscount of Baltinglas, and others the offendours and persons before in or by this act named and mentioned to be attainted, or some or any of them were joyntly seised, together with any other person or persons, to the use of any other person or persons, not being attainted of treason the day of the said severall treasons committed, or at any time sithence, that the same other person or persons, with whom the said offendours and persons in this act named and mentioned to be attainted, or some or any of them were so joyntly seised as is aforesaid, shall stand and be seised of the same whole mannours, landes, tenementes and hereditaments, and of every part thereof, to such uses and intentes, as they were so joyntly seised the day of the sayd severall treasons committed, the said attaindours notwithstanding, as though the said offendours, and other the persons in this act before named and mentioned to be attainted, or any of them, had never had any estate of or in the said manours, lands, tenements or hereditamentes.

A. D.
1585.
Chap. 1.

They to whose use said rebels stood seised may enter, &c. as if said attainders never had been.

They who were jointly seised with said rebels, shall stand seised of the whole to the like uses.

IX. And be it further enacted by the authority aforesaid, That all and every offendour and offendours, being hereafter lawfully convict of any maner of high treason by any act of Parliament, presentment, confession, verdict or proces of outlawy, according to the due course or custome of the common laws or statutes of this realm, shall lose and forfeit to the Queen's Majestie, her heyres and successoures, as well all such rights, entries and conditions, as also all such lands, tenements and hereditaments, which any such offendour

Offenders hereafter convicted of high treason forfeit all rights, entries, and conditions, as also lands, &c. such attainders, according to course of common law or statute.

A. D. 1585. ^{of as good force as if by Parliament.} dour or offendoures shall have of any estate of inheritance in use or possession by any right, title or meanes within this realm of Ireland, or elsewhere within any the dominions of the same realm, at the time of any such treason committed, or at any time after; and that every such attaindour, according to the course of the common laws or statutes of this realm, shall be of as good force, value and effect, as if it had been done by authority of Parliament; and that the Queen's Majestie, her heyres and succeffoures, shall be deemed and adjudged in actual and real possession of all such landes, tenementes, uses, hereditamentes, goods, chattels, and all other things of the offendour and offendours so attainted, without any office or inquisition to be found of the same; any law, statute, custom or use to the contrarie in any wise notwithstanding. Saving to every person and persons, their heyres and succeffors (other then the offendours in any treasons, their heyres and succeffours, and such person and persons as claime to any of their uses) all such rights, titles, interests, possessions, leases, rents, offices and other profits, which they shall have at the day of the committing such treasons, hereafter to be committed, or at any time afore, in as large and ample manner, as if this act had never been had or made.

The Queen
adjudged in
actual posses-
sion without
office or in-
quisition.
33 H. 8. 20.
Eng.

Saving right
of others.

C H A P. II.

An Act for the Restitution in Bloud of Laurence Delahide.

Recital of
stat. 28 H. 8.
9 of attain-
der of James
Delahide.

IN most humble wise sheweth unto your Highnesse, your faithfull and humble subject Laurence Delahide of Moyglare, within the countie of Meath, gent. That whereas in a Parliament holden at Dublin, in the xxviii. year of the reign of your most noble father King Henry the eight, before the lord Leonard Graye, then lord deputie of this realm, it was enacted, "That James Delahide, father to your suppliant, and sonne and heire apparent unto Sir Walter Delahide of Moyglare, in the countie of Meath knight, grandfather to your suppliant, should be deemed, reputed, convicted adjudged and attainted traytor of high treason, and should lose and forfeite all the lands, tenements and hereditaments, that should of right descend, remain, come or be unto him after the death of his said father;" by force of which act, your suppliant doe stand and is a person corrupted in bloud, and thereby disabled to take or claim any thing by discent from his said auncestours, or from or by any other collaterall ancestor or cousin, or to make his petigree by or through the said James, and after the said attaindour, most gracious Sovereign Lady, your suppliant was not onely graciously received to your highnes favour, but also most bountifully and mercifully restored to a portion of his said lands, belonging to his said late grandfather, Sir Walter Delahide, for good and reasonable con-
siderations

considerations and causes then moving your Majesty; and forasmuch as your suppliant findeth in himself a great blemish and defect, for that he is not restored to his blood, he most humbly beseecheth your Majesty that it may be enacted, that your said suppliant may estfoones be restored in blood unto his blood. Wherefore be it enacted by her Majesty, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authority of the same, that the said Laurence Delahide shall be from henceforth, by authoritie of this act, restored to his ancient blood and lineage, enabled to make his resortans, conveyance, petigree, demaund, claim and title, by discent lineall or collaterall, from, by and under his said father and grandfather, and all other his and their ancestors, whatsoever they be, for all manner of lands, tenements and hereditaments, not now in her Majesties hands, seisin or possession, or ought to be in her hands, seisin or possession, nor in the hands seisin or possession of any that claimeth from, by or under her Majesty, or any of her noble progenitors, in such manner and sort, as though the said attaindor or attaindors, corruption of blood, or any other impediment to the contrarie had never been: any law, statute, record, provision, judgment, conviction, cause or matter whatsoever to the contrarie in any wise notwithstanding.

A. D.
1585.
Chap. 2.

Laurence
Delahide re-
stored in
blood.

II. Provided alway, and be it enacted by authoritie aforesaid, that this act, or any thing therein containd, shall not extend to make void or frustrate any gift, graunt, lease for life or years, or any other estate of freehold or inheritance, passed and graunted by your Highnesse father King Henry the eight, of famous memorie, your highnesse brother King Edward the sixt, your Highnesse sister Queen Mary, or the late King and Queen King Philip and Queen Mary, your highnesse, or the said Laurence and his assignes, or any of them; but that all such grantes, giftes, leases, and everie estate, interest of freehold, inheritance and tearmes as is given and made for yeares, and every of them, shall be and remain of such force and effect in law, as they be and were before this act, and in such force and effect to all intentes, purposes and constructions, as if this act had never been had ne made: this act, nor any thing therein containd to the contrarie in any wise notwithstanding.

Not to extend to avoid
gifts or leases
by the Queen,
&c.

III. Provided alwaies, and be it enacted by the authority aforesaid, That this act nor any thing therein contained, shall not be in any wise prejudicial unto her Highness, nor in any wise further beneficial to the aforesaid Lawrence Delahide, than his restitution in blood and lineage, and for such thinges as be incident and appertayning to his habilitie of blood onely.

Not prejudicial to the
Queen.
Nor further
beneficial to
Laurence De-
lahide than
said restitu-
tion.

The twenty eighth Year of Elizabeth.

C H A P. I.

An Act concerning Willfull Perjurie.

A. D.
1586.

5 Eliz. 9.
Eng.
3 G. 2. 4.

Persons pro-
curing wit-
nesses to com-
mit perjury in
any suit by
writ, action,
bill, com-
plaint or in-
formation, in
any court, or
who suborne
witnesses to
testify in *per-
petuam rei
memoriam*.

After con-
viction forfeit
40l.

Or, if they
have not to
that value,
imprisonment
for six
months, and
pillory for
one hour.

FORASMUCH as this realm of Ireland is greatly troubled and hindered by reason of wilfull perjurie daily committed notwithstanding that many good lawes have been made and ordeyned for redress thereof, and for that great dangers and perilles are daily like to fall, if some further remedies shall not be speedily provided for prevention thereof; be it therefore enacted by our Sovereign Lady the Queen, with the assent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by the authority of the same, that all and every person and persons, which at any time after the end of this present Parliament, shall unlawfully or corruptly procure any witness or witnesses by letters, rewardes, promises, or by any other sinister or unlawful labour or meanes whatsoever, to commit any wilful or corrupt perjurie, in any matter or cause whatsoever now depending, or that hereafter shall depend in suite and variaunce, by any writ, action, bill, complaint or information, in any wise concerning any lands, tenements, or hereditaments, or any goods, chattles, debts, damages, or any other cause of action whatsoever, in any of her Majesties courtes of castle chamber, chauncerie, chief place courte of common plees, exchequer, or any other court or courts, before any judge, justicer, president, governor, commissioners, mayor, sheriffes, seneschalles, or any other officers whatsoever, as well within liberties as without, in this realm of Ireland, or shall likewise, unlawfully or corruptly, procure or soborne any witness or witnesses, which shall from and after the end of this present Parliament, be sworn to testifie in *perpetuam rei memoriam*: that then everie such offender and offenders shall, for his or their said offence, being thereof lawfully convicted or attainted, lose and forfeite the summe of fortie poundes: and if it fortune any such offendour or offendours, so being convicted or attainted, as aforesaid, not to have any goods or chattels, lands or tenements, to the value of fortie poundes; that then everie such person, so being convicted or attainted of any offences aforesaid, shall, for his or their said offence, suffer imprisonment by the space of one half year without bayle or mayne-

mayneprise, and to stand upon the pillory by the space of one whole hour, in some market towne next adjoyning to the place where the offence was committed, in open market there, or in the market towne it selfe where the offence was committed: and that no person or persons being so convicted or attainted, to be from thenceforth received as a witnesse, to be deposed or sworn in any court of record, or within any other court or courts within this realm of Ireland, untill such time as the judgment given against such person or persons shall be reversed by attainit or otherwise. And that upon every such reversall, the parties grieved, to recover his or their damages against all and every such person and persons, as did procure the sayd judgment, so reversed, to be first given against them or any of them, by action or actions, to be sued upon his or their case or cases, according to the course of the common lawes of this realm.

II. And be it further enacted by the authoritie aforesaid, that if any person or persons, after the end of this Parliament, either by the subornation, unlawfull procurement, sinister perswasion or means of any others, or by their owne act, consent or agreement, willfully or corruptly commit any manner of willfull perjurie, by his or their deposition in any the courts before mentioned, or before any the judges, commissioners, or officers before mentioned, or being examined *ad perpetuam rei memoriam*: that then every person and persons so offending, and being thereof duely convicted or attainted, by the laws of this realm, shall for his or their offence loose and forfeit twenty pounds, and to have imprisonment by the space of six months, without baile or mainprise, and the oath of such person or persons so offending, from thenceforth, not to be received in any court of record within this realm, untill such time as the judgment given against the said person or persons shall be reversed by attainit or otherwise. And that upon every such reversall, the parties grieved to recover his or their damages against all and every such person or persons, as did procure the said judgment, so reversed, to be given against them, and every of them, by action or actions, to be sued upon his or their case or cases, according to the course of the common lawes of this realm. And if it happen the said offender or offendours, so offending, not to have any goods or chattels to the value of xx. li. that then he or they to be set upon the pillorie in some market place within the county, city or borough, where the said offences shall be committed, by the sheriffe or his minister, if it shall fortune to be without any citie or towne corporate; and if it happen to be within any such citie or towne corporate, then by the said head officer or officers of such citie or towne corporate, or by his or their ministers, and there to have both his ears nailed, and from thenceforth to be discredited and disabled for ever to be sworn in any of the courts of record aforesaid, until such time as the judgment shall be reversed, and thereupon to recover his

A. D.
1586.
Chap. 1.

And not to be received as witnesses in any courts till judgment reversed.

Upon reversall, to recover damages against the persons procuring said judgment by action on the case.

The persons committing perjury, and convicted, forfeit 20l. and imprisoned 6 months:

their oath not to be received in any court of record till judgment reversed.

Upon reversall, damages against the person procuring the judgment by action on the case.

If offender has not 20l. to be set in pillory by the sheriff or head officer,

to have his ears nailed, disabled to be sworn till judgment reversed, thereupon to recover damages as before.

A. D.

1586.

Chap. 1.

One moiety
of all said for-
feitures to the
Queen: the
other to
such person
grieved who
will sue.

damages in maner and forme aforesaid: the one moyetie of all which summes of money, goods and chattels, to be forfeited in manner and forme before mentioned, to be to the Queen our soveraign lady, her heires and successors, and the other moiety to such person or persons as shall be grieved, hindred or molested, by reason of any the offence or offences before mentioned, that will sue for the same by action of debt, bill, plaint, information or otherwise in any of her Majestie's courts of record; in which no wager of law, essoine, protection, injunction, or any other commaundement to be allowed.

Who shall
hear and de-
termine said
offences.

III. And be it also enacted by the authority aforesaid, that aswell the judge and judges of every such of the said courts where any such suite is or shall be, and whereupon any such perjurie is or shall happen to be committed, as also the justices of assise and gaole deliverie, in their severall circuites, and the justice of peace in every county within this realm, at their quarter sessions, both within liberties and without, shall have full power and authoritie, by vertue hereof, to inquire of all and every the defaults and offences perpetrated, committed or done, contrarie to this act, by inquisition, presentment, bill, or information before them exhibited, or otherwise lawfully to heare and determine the same; and thereupon to give judgment, award processe and execution of the same, according to the course of the lawes of this realm.

This Stat.
or the effect
thereof, to be
proclaimed at
every assizes.

IV. And be it further enacted by the authoritie aforesaid, that the justices of assise of every circuite within this realm, shall in everie countie within their circuites, two times in the yeare, that is to say, in time of their sittings, make open proclamation of this statute, or the effect thereof, to the intent no person or persons shall be ignorant or misconusant of the penalties herein contayned.

Not to ex-
tend to eccle-
siastical
courts, which
may punish
as usual.

V. Provided also and be it enacted, that this act, nor any thing therein contayned, shall not extend to any spirituall or ecclesiasticall court or courts within this realm; but that all and every such offender and offenders, as shall offend in forme aforesaid, shall be punished by such usuall and ordinarie lawes as heretofore have been, and yet are used and frequented in the said ecclesiasticall courts; any thing in this present act contayned to the contrarie notwithstanding.

Nor to re-
strain the au-
thority of any
judge having
absolute pow-
er to punish
perjury before
this Stat. so
that a less pu-
nishment than
in this act
contained is
not set upon
the offenders.

VI. Provided alwayes that this act, or any thing therein contayned, shall not extend in any wise to restraine the power and authoritie given by act of Parliament, heretofore made to the lord chauncellor of Ireland, and others of the King's counsell for the time being, to examine and punish ryots, routes, heynous perjuries, and other offences and misdemeanors which the lord chauncellor, and other sithence the making of the said act, have most commonly used to heare and determine in the court, at the castle of Dublin, commonly called the court of castle chamber, nor to restraine the power or authoritie of the lord president and counsaile, that is or shall be in Mounster, Conaght and Ulster, nor of any other judge having absolute

absolute power to punish perjurie before the making of this statute, but that they, and every of them, shall and may proceed in the punishment of all offences heretofore punishable, in such wise as they might have, and used to do before the making of this act to all purposes, so they set not upon the offender or offenders less punishment then is containd in this act: This act to continue for ever.

A. D.

1586.

Perpetual.

C H A P. II.

An Act against Witchcraft and Sorcerie.

WH E R E at this present there is no ordinarie ne condigne punishment provided against the practises of the wicked offences of conjurations and invocations of evill spirites, and of forceries, enchauntments, charms and witchcrafts, whereby mainie fantastickall and devilish persons have devised and practised invocations and conjurations of evill and wicked spirites, and have used and practised witchcrafts, enchauntments, charms and forceries, to the destruction of the persons and goods of their neighbours, and other subjects of this realm, and for other lewde and evill intents and purposes, contrarie to the lawes of Almighty God, to the perill of their owne soules, and to the great infamie and disquietnesse of this realm. For reformation whereof, be it enacted by the Queen's Majestie, with the assent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by the authority of the same, That if any person or persons after the end of three moneths next, and immediately after the end of the last session of this present Parliament, use, practise or exercise, any invocation, or conjurations of evill and wicked spirites, to or for any intent or purpose: or else if any person or persons, after the sayd three monethes expired, next after the end of the last session of this present Parliament, shall use, practise, or exercise any witchcraft, enchauntment, charme or forcerie, whereby any person shall happen to be killed or destroyed: that then aswell every such offender or offenders, in invocations or conjurations, as is aforesaid, their aydors, and councelors, and also every such offender or offenders in witchcraft, enchauntment, charm or forcerie, whereby the death of any person doth ensue, their aydours and counselours being of the said offences lawfully convicted and attainted, shall suffer paines of death, as a felon or felons, and shall lose the priviledge and benefite of clergie and sanctuarie: saving to the wife of such person, her title of dower, and also the heires and successeours of such person, and all other person and persons, their heires and successors, all titles, rights, feignories, uses, profites,

1 Ja. 1. 12.

Eng.

No condigne punishment provided against conjuration, &c.

Mischief thereof.

Persons using invocation of evil spirits to any purpose, or witchcraft, &c. whereby any one killed or destroyed, their aiders, &c. guilty of felony without clergy.

Saving dower, inheritance and rights of others.

A. D. 1586. Chap. 2. escheates and hereditamentes whatsoever, of any estate of inheritance, and otherwise, as though no such attayndour had been had or made.

Using witchcraft, &c. whereby any one wasted or lamed, or goods destroyed, for first offence one year's imprisonment, and pillory 6 hours once a quarter.

Second offence felony and the like saving as above.

A peer to be tried by his peers.

Persons taking upon them to discover hidden treasure, by witchcraft, or stolen goods, or to provoke unlawful love, &c.

first offence one year's imprisonment,

II. And be it further enacted by the authority aforesaid, that if any person or persons, after the said end of three moneths next ensuing the end of the last session of this present Parliament, shall use, practise, or exercise any witchcraft, enchantment, charme or forcerie, whereby any person or persons shall happen to be wasted, consumed or lamed in his or their bodie or member, or whereby any goods or cattels of any person shall be destroyed, wasted or impaired; then every such offender or offenders, their counsellours and aydours, being thereof lawfully convicted, shall for his or their first offence or offences, suffer imprisonment by the space of one whole yeare without bayle or maineprise, and once in every quarter of the said yeare, shall in some market towne, upon the market day, or at such time as any faire shall be kept there, stand openly upon the pillorie by the space of fixe houres, and there shall openly confesse his or their errour and offence, and for the second offence, being as is aforesaid lawfully convicted or attainted, shall suffer death as a felon, and shall lose the priviledge of clergie and sanctuarie: Saving to the wife of such person, her title of dower, and also to the heir and successeurs of such person; and likewise saving to all other person and persons, their heires and successeurs, all and singular his and their rightes, titles, escheates, uses, profits and hereditamentes whatsoever, of any estate of inheritance and otherwise, as though no such attaindour had been had or made.

III. Provided alwayes, that if the offendour in any of the cases aforesaid, for which the pains of death shall ensue, shall happen to be a peere of this realm; then his triall therein to be had by his peeres, as it is used in cases of felonie or treason, and not otherwise.

IV. And further, to the intent that all manner of practise, use or exercise of witchcraft and enchauntment, charme, or forcerie, should be from henceforth utterly avoid, abolished and taken away; be it enacted by the authority of this present Parliament, that if any person or persons shall, from and after the saide end of three monethes next immediately ensuing the end of the last session of this present Parliament, take upon him or them by witchcraft, enchauntment, charme or forcerie, to tell or declare in what place any treasure of gold or silver should, or might be found or had, in the earth or other secret places, or where goods or things lost or stolen should be found or become, or shall use or practise any forcerie, enchauntment, charme or witchcraft, to the intent to provoke any person to unlawful love, or to hurt or destroy any person in his or her body, member, goodes or chattels, that then every such person or persons so offending, and being thereof lawfully convicted, shall

shall for the said offence suffer imprisonment by the space of one whole yeare, without bayle or maineprise, and once in every quarter of the said yeare, shall, in some market towne, upon the market day, or at such time as any faire shall be kept there, stand openly upon the pillorie by the space of fixe houres, and there shall openly confesse his or her error and offence. And if any person or persons being once convicted of the same offence as is aforesaid, doest soones perpetrate and commit the like offence, being thereof the second time convicted as is aforesaid, shall forfeit unto the Queen's Majestie, her heyres and successours, all his goods and chattels, and suffer imprisonment during life.

A. D.
1586.

Second offence forfeiture of goods and chattels to the Queen, and imprisonment for life.

C H A P. III.

An Act against Forging of Evidences, &c.

FORASMUCH as the wicked, pernicious and dangerous practice of making, forging and publishing of false and untrue chartours, evidences, deedes and writings, hath of late time been verie much more practised, used, and put in ure in all parts of this realm, than in times passed, not onely to the high displeasure of God, but also to the great injury, wrong, hurt, damage, disherison and utter undoing of diverse the Queen's Majesties subjects of this realm, and to the great subversion of justice and truth, which seemeth to have grown and happened, chiefly by reason that the paynes and punishments limited for such great and notable offences by the lawes and statutes of this realm, before this time have been, and yet are so small, milde and easie, that such evil people have not been, ne yet are affrayde to enterprise the practising and doing of such offences. Be it therefore enacted by the Queen's most excellent Majestie, with the assent of the lordes spiritual and temporall, and the commons in this present Parliament assembled, and by authority of the same, That if any person or persons whatsoever, after the last day of this present Parliament, upon his or their owne head or imagination, or by false conspiracie and fraud with others, shall wittingly, subtilly and falsely forge or make, or subtilly cause, or wittingly assent to be forged or made, any false deede, chartour or writing sealed, court roll, or the will of anie person or persons in writing, to the intent that the state of freehold or inheritance of any person or persons, of, in, or to any lands, tenements, or hereditaments, freehold, or copyhold, or the right, title or interest of any person or persons, of, in or to the same, or any of them, shall be or may be molested, troubled, defeated, recovered or charged, or after the last day of this Parliament, shall pronounce, publish, or shew forth in evidence, any such false or forged deede, chartour, writing, court

5 Eliz. 14
Eng.
3 G. 2. 4.
made perpetual by 17 &
18 G. 3. c. 36.
17 G. 2. 11.
continued to
25th March,
1790, by do.
Forgery of
late more
practised than
formerly,
from the
mildness of
the punishment limited.

Penalty for forging or publishing after last day of this Parliament, a false deed or will, whereby the freehold, &c. of another shall be troubled.

A. D. 1586. *Chap. 3.* roll or will as true, knowing the same to be false and forged as is
 afore said, to the intent above remembred, and shall be thereof con-
 victed, either upon action or actions of forgerie of false deedes, to
 be founded upon this statute at the suite of the partie grieved, or
 otherwise, according to the order and due course of the lawes of this
 realm, or upon bill or information to be exhibited unto the court
 of castle chamber, according to the order and use of the court,
 shall pay unto the partie grieved, his double costs and damages, to
 be found or assessed in that court where such conviction shall be,
 and also shall be set upon the pillory in some open market towne,
 or other open place, and there to have both his ears cut off,
 and also his nostrils to be slit and cut, and seared with an hott
 yron, so as they may remaine for a perpetuall note or marke of
 his falshood, and shall forfeit to the Queen our sovereign Lady,
 her heirs and successors, the whole issues and profits of his lands
 and tenements, during his life, and also have perpetuall impri-
 sonment during his life: The said damages and costs to be re-
 covered at the suit of the partie grieved as is afore said, to be
 first payed and levied of the goods and chattels of the offender,
 and of the issues and profits of the said lands, tenements and
 hereditaments, of such partie convicted, or of one or both of
 them, the said title of our sovereign lady the Queen, her heires and
 successors to the same notwithstanding.

Pillory, ears
 cut off, and
 nostrils slit
 and seared, as
 a perpetual
 note of false-
 hood.
 Forfeiture
 to the Queen
 of profits of
 lands for life.
 perpetual
 imprisonment,
 Said costs
 and damages
 to be first le-
 vied.

Forging a
 deed whereby
 a lease or an-
 nuity may be
 claimed,

or an obli-
 gation, ac-
 quittance, re-
 lease, &c.

or publish-
 ing or giving
 it in evidence,
 knowing it
 false.

Penalty,
 double costs
 and damages
 to party
 grieved pillor-
 ry, one ear
 cut off, and
 one year's im-
 prisonment.

II. And be it further enacted by the authoritie afore said, that
 if any person or persons, after the said last day of this present
 Parliament, upon his or their owne head or imagination, or by
 false conspiracy or fraud, had with any other, shall willingly,
 subtilly and falsly forge or make, or wittingly, subtilly, and falsly
 cause or assent to be made and forged, any false charter, deed or
 writing, to the intent that any person or persons, shall or may
 have or claime any estate or interest for term of years, of, in or
 to any mannors, lands, tenements, or hereditaments, not being
 copyhold, or any annuity in fee simple, fee taile, for term
 of life, lives or years, or after the said day shall, as is afore said,
 forge, make, or cause or assent to be made or forged, any obli-
 gation or bill obligatory, or any acquittance, release or other dis-
 charge of any debt, accompt, action, suite, demand, or other thing
 personall; or if any person or persons, after the said last day of
 this present Parliament, shall pronounce, publish or give in evi-
 dence any such false or forged charter deed, writing, obligation, bill
 obligatory, acquittance, release or discharge as true, knowing the
 same to be false and forged, and shall be thereof convicted by
 any the wayes or means afore said; that then he shall pay unto
 the partie grieved, his double costs and damages to be found
 and assessed in such court, where the said conviction shall be had,
 and also shall be set upon the pillory in some open market towne,

or other open place, and there to have one of his eares cutt off, and also shall have and suffer imprisonment, by the space of one whole yeare without bayle or mainprife.

A. D.
1586.
Chap. 3.

III. And be it further enacted by authoritie aforesaid, that the partie and parties grieved, by reason of any the offences aforesaid, shall and may at his and their pleasure, have and sue his action of forgerie of false deeds upon this statute, against any of the offenders in the same, by originall writ out of the Queen's Highnesse court of chauncerie, and shall and may have like processe upon the same as in cases of trespassse at the common law, or may at his pleasure take his suit against any such offenders in any the premises, by bill, before the Queen's Highnesse, her heires and successours, in the court, commonly called the King's bench or in the court of the exchequer, in which suits no essoine, injunction, commaundement or protection, shall be allowed for the partie defendant.

The severall remedies for party grieved, Action of forgerie on this statute, by original writ, with like process as in trespass at common law, or by bill in B. R. or exchequer.

IV. And be it further enacted by the authoritie aforesaid, that if the party defendant, shall be convicted for any of the offences aforesaid, according to the order and forme above limited, and shall have received thereupon punishment corporall, according to this act; that then he shall not eftsoons be impeached for the same offence.

He that is once punished, not to be impeached for same offence.

V. And be it further enacted by the authoritie aforesaid, that although the partie or parties, plaintife in any such action or bill, to be sued as aforesaid, shall after verdict past against the defendant or defendants, happen to release or discharge the judgment or execution upon the same, or otherwise suffer the same to be discontinued; that yet neverthelesse, the same release, discharge or discontinuance, shall extend onely to discharge such costs and damages as the same plaintife should have had against the defendant: and that the judges before, whom the sayd action or suit shall be taken, shall and may proceed to judgment, of and upon the residue of the sayd penalties and forfeitures, and to commaund execution upon the same, the said release, discontinuance or other discharge had, made, done or suffered by the partie plaintife in any wise notwithstanding; this act, or any thing therein contayned, to the contrary in any wise notwithstanding.

The plaintifs release shall discharge only his own costs and damages,

and the court may proceed to judgment upon the residue of the said penalties.

VI. And be it further enacted by the authoritie aforesaid, that if any person or persons, being hereafter convicted or condemned of any of the offences aforesaid, by any the wayes or means above limited, shall after his or their conviction, or condemnation, eftsoones commit or perpetrate any of the said offences in forme aforesaid, that then every such second offence or offences, shall be adjudged felonie; and the parties being thereof convicted or attainted, according to the lawes of this realm, shall suffer such paines of death, losse and forfeiture of their goods, cattels, lands

Second offence felony without clergy.

A. D. 1586. Chap. 3. and tenements, as in cases of felony, by the common laws of this realm, ought to be lost or forfeited, without haveing any advantage or benefit of clergie or sanctuarie : Saving to everie person and persons, bodies politique and corporate, their heyres and successours, (other then the said offendours, and such as claime to their uses) all such rightes, titles, interests, possessions, liberties of distresses, leases, rentes, reversions, offices, and other profits and advantages, which they or any of them shall have at the time of such conviction or attaindours, of, in or to any the landes, tenements or hereditaments, of any such person so as is aforesaid convicted or attainted, or at any time before, in as large and ample manner to all intents and purposes, as if this act had never beene had or made.

No forfeiture of dower, or corruption of blood.

VII. Provided alwayes, and be it enacted by the authority aforesaid, that any such conviction or attayndour of felony, as is aforesaid, or any forfeitures by reason of the same, shall not in any wise extend to take away the dower of the wife of any such person attainted, nor to the corruption of bloud, or disherison of any the heir or heires of any such person or persons so attainted; this act, or any thing therein containned, or any other statute, lawe, usage, custom, or thing heretofore use to the contrary in any wise notwithstanding.

Not to extend to ordinaries or the officers, &c. sealing or writing a will, not knowing it false or forged.

VIII. Provided also and be it further enacted by the authoritie aforesaid, that this act, or any thing therein containned, shall not extend to charge any ordinarie, or any their commissaries, officials, registers, or any other their officers or ministers, with any the offences aforesaid, for putting their seale of office to any will to be exhibited unto them, not knowing the same to be false or forged, or for writing of the said will or probat of the same; this act, or any thing therein contained to the contrarie notwithstanding.

Justices of assize, &c. to hear and determine said offence.

IX. And be it further enacted by the authority aforesaid, that all and every justice of oyer and terminer, and justices of assize in their circuites, and every of them, shall have full power and authoritie in every of their open and generall sessions, to inquire, hear and determine all and every the offences aforesaid committed or done within the limits of their commission, and to make proceffe for the execution of the same, as they may do against any person being indicted before them of trespassse, or lawfully convicted thereof.

Repeal of all other statutes against forgery.

X. And be it further enacted by the authority aforesaid, that all other statutes heretofore made and provided for forgerie of false deeds, charters, monuments or writings, and all and every penaltie appointed by the same, shall from and after the said last day of this present Parliament be voyd and of none effect in law; any such statute or thing therein containned to the contrarie in any wise notwithstanding.

XI. Provided

XI. Provided alwaies, that this act or any thing therein contained, shall not extend or be hurtfull in any wise to any proc-
tor, advocate or register, of any ecclesiastical court within this
realm, for the writing, setting forth, or pleading of any proxee
made according to the ecclesiasticall laws or customs heretofore
used and allowed by the ecclesiastical courts, for the apparance
of any person or persons, being cited to appear in any of the
said courts ecclesiasticall, nor to any archdeacon or official, for
putting their authenticke seal to the said proxes or proxee, nei-
ther yet to any judge ecclesiasticall for admitting the same; but
that they and every of them may hereafter doe in all points con-
cerning the same, as they and every of them, might lawfully have
done, before the making of this act; any thing in this act to
the contrarie notwithstanding.

A. D.
1586.
Chap. 3.
Not to ex-
tend to proc-
tors, &c.
of ecclesiasti-
cal court,
who may pro-
ceed as here-
tofore.

XII. Provided alwayes, and be it further enacted by the au-
thority aforesaid, that if any person or persons whatsoever, that
hath of his or their owne head, or by false conspiracie and fraud
with any other, wittingly, subtilly and falsly forged or made, or
shall before the said last day of this present Parliament forge and
make any false deed, charter or writing sealed, or the will of any
person in writing, or any court roll, to the intent that the estate
of freehold or inheritance, or the right, title or interest of inhe-
ritance or freehold of any person or persons, of, in or to any ma-
nours, lands, tenements or hereditaments, being freehold or copy-
hold, by any such forged deed, charter, court rolle or writing, be-
fore the said last day of this present Parliament, shall or may be
molested, troubled, or defeated of the said estates of any lands,
tenements or hereditaments, being freehold or copyhold: or if any
person or persons have heretofore published or shewed forth in
evidence, or before the said last day, shall publish or shew in
evidence for the proof of any title, any false or forged deed,
charter, writing, will or court roll as true, knowing the same to
be false and forged as is aforesaid, to the intent above remembred,
and shall be thereof attainted or convicted according to the order
of the lawes of this realm, either in action of forgerie of false
suits, or in action upon the case, at the suit of the partie grieved,
his heyres, executors and assignes; that then the partie so con-
victed, shall pay and yeeld damages and costes of suit to the
plaintife, as shall be assessed according to the order of the lawes of
this realm, in any such like action or suit, and shall suffer im-
prisonment, and pay fine and ransom at the pleasure of the
Queen's Majestie, her heires and successours. And if any person
or persons shall, after the said last day of this present Parliament,
plead, publish or shew forth in evidence or otherwise, for the
proof of any title any false or forged deed, charter, writing,
will, or court roll heretofore falsely made and forged, or to be

Forging, or
publishing or
shewing in
evidence as
above, before
the last day
of this Parli-
ament.

Penalty,
costs and da-
mages to be
assessed to
party grieved,
imprison-
ment, fine
and ransom.

Pleading or
publishing af-
ter the last day
of this Parlia-
ment deeds,
&c. forged
before, know-
ing and to the
intent as
above.

A. D. 1586. Chap. 3. falsly made and forged, before the said last day of this present Parliament, as true, knowing the same to be false and forged, to the intent to have or claim thereby any estate of inheritance, freehold, or lease for years, in or to any mannors, lands, tenements, uses, rents, or hereditaments, or any annuitie of rent or profite forth of any mannors, lands, tenements or hereditaments, or to the intent to alter, defeate, molest, trouble, charge, or recover the state of inheritance, freehold, or for years, of any person or persons, in any mannours, lands, tenements or hereditaments: That then every person and persons, that shall offend, and shall be thereof convicted in forme first above remembred, shall pay unto the partie grieved, double costs and damages, and shall have imprisonment, lose of eares, fliting and searing of nose, and forfeiture of lands, in the same mannear and forme as above is limited, for any person that shall offend by forging and publishing of any false deed or writing, as is aforesaid, after the foresaid last day of this present Parliament.

Penalty as above for forgery after last day of this parliament.

Not to extend to attorney or lawyer pleading a forged deed, not privy to the forging.

XIII. Provided alwayes, and be it enacted by the authority aforesaid, that this act, nor any pain, forfeiture, or any thing therein contayned, shall extend to any attorney, lawyer, counsellor that shall for his client plead, shew forth or give evidence, any false and forged deed, charter, will, court-roll, or other writing, for true or good, being not partie or privie to the forging of the same, for the pleading, shewing forth or giving in evidence of the same; any thing in this act to the contrarie notwithstanding.

Nor to the pleading a writing exemplified; or setting a seal thereto, not knowing it forged.

XIV. Provided alwayes, and be it enacted by the authority aforesaid, that this act, or any thing therein contayned, shall not extend to any person or persons that shall plead or shew forth any deed or writing exemplified under the great seal of England, or under the seal of any other authenticke court of this realm, nor shall extend to any judge or justices, or other person that shall cause any seal of any court to be set to any such deed, charter or writing enrolled, not knowing the same to be false or forged; any thing in this act to the contrary notwithstanding.

C H A P. IV.

*An Act of Impost and Customs of Wines.**

11 Eliz. sess. 4. cap. 1. Importation of wines: their prices, customs, and place of discharge.

The want of a navy, thro' the idleness of merchants.

THE lords spiritual and temporal, and the commons in this present Parliament assembled, considering with no small grief of mind, the great lacke of a navie within this realm, which is occasioned by the sluggardie, idleness and untowardness of the merchants and traffiquers thereof, and how by that default this realm is brought to be of no abilitie or strength to defend it selfe against the enemies, pirates and robbers, that do accustomedly annoy the same: and also advisedly calling to memorie divers intollerable enormities that have followed, of the disordered trade of aliens

* This act in part expired, and in part altered by the duties granted by subsequent statutes.

to creekes and unhaunted portes and places of this realm, leaving the chiefe and principall cities, boroughes, townes and portes of defence, whereby the same realm hath ever been, and presently is chiefly upholden, staied and maintained, to the great losse of the Queene's Majesties customes due of their charge and loading, for lacke of order in such places for the receit thereof: Understanding also the pitiful and rufull minishing of the Queene's Majesties revenues in this realm, together with the innumerable charges that her Highnesse hath been and daily is at, by exhausting her princely treasure, for the defence and good reduction to civilitie of this realm: and weighing by long experience, how that by the superfluous abundance of wines that are yearely discharged within this realm, grievous decay of tillage and husbandrie, idleness the mother of all vices, rage and furie in the mindes of the disordered people, and other monstrous enormities hath been perniciously bred and nourished, beside the great spoile of subjects goods that followed, by reason that no provision hath been hitherto made for the sale of the same wines that are so conveyed and brought into this realme, all which fores and mischiefes doe require present help, remedie and due reformation to be had, with good, prudent, and carefull provision and foresight: In consideration whereof, the said lords spiritual and temporal, and the commons in this present Parliament assembled, most humbly beseechen the Queene's royal Majestie, that it may be enacted by her Highness, with the assent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by the authority of the same, that no manner person of what degree or condition that he be, being subject, denizen or alien, shall discharge any manner of wines within this realm of Ireland, but onely within the havens and portes, of the cities, townes and places hereafter mentioned, *viz.* The city of Dublin, Waterford, Corke and Limericke; the townes and places of Drogheda, Galway, Yoghell, Carrigfergus, Wexford, Rosse in the county of Wexford, Kingsale, Dungarvan, Dundalke, Carlingford, Slygo, and Dingle Icoush, otherwise called Dinglehussie, and in no other porte, creeke, haven, road, or places within this realm of Ireland, without the special licence of the Queene's Majestie, her Highness heyres or successours, or of the lord deputy or other governor or governors of this realm for the time being, to be given or made in that behalfe, upon pain to forfeit the same wines so discharged contrary to this act, without licence as before is specified, the one halfe thereof to the Queene's Majestie, her heires and successours, and the other halfe to him or them that shall seise the same wines.

II. Provided alwayes, that this article, braunch or clause of this act, shall not extend to any ship or ships having any such wines, that shall be constrained by tempest of weather, or enemies, to arrive or discharge in any other porte or place in this realm then is before appointed, or that hereafter shall by licence as aforesaid, be ap-

A. D.
1586.
Chap. 4.

Disordered
trade of
aliens to un-
frequented
places.
Loss of cus-
toms thereby.

Idleness and
many enormi-
ties from the
abundance of
wines im-
ported.

Enacting
part.

In what ha-
vens only
wines shall be
discharged.

If in other
place, with-
out licence,
forfeiture
thereof,
Half to the
Queen, half
to the seisor.

Unless con-
strained by
tempest or
enemies.

But no sale
thereof to be
made, save for

A. D. 1586. pointed or warranted, so that the owners of the said wines, or any for them, or to their use, make thereof no sale within this realm, other then for victualls or repaying of the same ship or ships, or calking thereof, which they of necessity be compelled to make.

Chap. 4.

victualls or necessary repairs of the ship.

Expired for increase of the revenue, and to stay the superfluity of wines, the Queen shall for 10 years have as a custom, 40s. per tun of Spanish, or Levant, or Canary wines.

For French wines, 11. 6s. 3d.

But if imported in foreign vessels, 21. 13s. 4d. for Spanish, &c.

40s. for French.

To be levied by the customers, &c.

Wines landed before the custom paid or agreed for, forfeited.

III. And be it further enacted and established by the authority aforesaid, both for the better increase and augmentation of her Majesties revenues in this realm, and also to stay the superfluity of wines conveyed, that her Highnesse, her heires and successors, shall have and receive for the space of ten years next ensuing this present Parliament, as a custom or subsidie of every tunne of Spanish, Levant, or Canare wines, that shall be brought into this realm by way of merchandise, in any ship or ships, or other vessell, whereof our said soveraign Lady, or any of her Highnesse loyall and naturall subjects shall be, at any time of such conveyance and bringing into this realm, verie and true owner, possessor and propriatorie, without coven, deceit, craft or collusion, the summe of forty shillings lawfull money of Ireland; and of every tunne of wine growing in Fraunce, Guyen, Gascoigne or Rochelle, that shall come into this realm by way of merchandise, by any person, in any ship or shippes, or other vessell, whereof our said soveraign Lady, or any of her Highnesse loyall and naturall subjects shall be at any time of such conveyance, and bringing into this realm verie and true owner, possessor and propriatorie, without covin, deceit, craft, or collusion, the summe of twentie six shillings eight pence lawfull money of Ireland; and of every tunne of Spanish, Levant, or Canare wines, that shall be brought into this realm by way of merchandise, by any person, in any ship or shippes, or other vessell, whereof our said soveraign Lady, or any of her Highnesse loyal and naturall subjects, shall not be at any time of such conveyance and bringing into this realm verie true owner, possessor, or propriatorie, without covin, deceite, craft or collusion, the summe of fiftie three shillings four pence, currant money of Ireland; and of every tunne of wines growing in Fraunce, Guyen, Gascoigne, or Rochell, that shall come into this realm by way of merchandise, being brought by any person in any shippe or shippes, or other vessel, whereof our said soveraign Lady, or any of her Highnesse loyall and naturall subjects, shall not be at any time of such conveyance, and bringing into this realm, very true owner, possessor and propriatorie, without covin, deceit, craft or collusion, the summe of fortie shillings lawfull money of Ireland, to be levied, taken, and perceived by the customers, collectors, and other her Highnesse officers for receiving of the custome in the ports, havens, or other places above limited, or hereafter to be appointed for discharge, in manner before recited in this act.

IV. And further be it enacted by the authoritie aforesaid, That if any wines, whereof the customes or subsidies aforesaid, or any of them, shall hereafter be due by the tenor of this act, shall at any time

time hereafter be discharged and laid on land, the customes or subsidies of the premisses due by this act not payd, or the collectors of the same customes or subsidies, or his deputie, with and by the consent, knowledge and agreement of the comptrollor or surveior, or one of them at the least, not agreed with for the same in the custome house, according to the true meaning and intent of this act; then all the said wines, and every part and parcell thereof so laid on land and discharged, shall be and remaine forfeit to her Majestie, her heyres and successours, the one moietie or value thereof to her Highnesse, her heires and successours, and the other moitie to him or them that shall seise the same, or sue therefore in manner aforesaid, in which suit no wager of law, effoine or protection shall be admitted or allowed.

A. D.
1586.
Chap. 4.

Half to the
Queen, half
to the seisor.

V. Provided alway, and be it enacted by the said authoritie, That the lord deputie, or other governor or governors of this realm for the time, shall have yearely for the provision and store of his house, of such wines as shall be brought and conveyed by way of merchandise into this realm, the number of twentie tunnes, free and discharged of the custome or subsidie graunted by this act: and that the said lord deputie, or other governor or governours of this realm for the time being, shall also by the said authority, have full power to graunt, limit and appoint, unto every peere of this realm, and to every of the privie counsell in the same, and the Queen's learned counsell for the time being, at his or their discretion from time to time, such portion and quantitie of wines to be free and discharged of and from the said custom and subsidie, as he shall thinke to be meete and competent for every of them after their degrees and callings to have; any thing in this act containd to the contrary notwithstanding.

The gover-
nor to have
20 tun custom
free yearly.

And may
limit what
quantity
peers, privy
counsellors,
and Queen's
council shall
have custom
free.

VI. And for the better order to be from henceforth observed and kept in the sale of wines, by retayle or in grosse, within this realm; be it enacted by the authority of this present Parliament, That the lord deputie, or other governour or governours of this realm for the time being, the lord chauncellor or keeper of the great seal of this realm, the two chief justices of eyther bench in this realm, the chauncellour and chief baron of the Exchequer of this realm for the time being, or five, foure, or three of them, whereof the lord deputie or other governour or governours, or the lord chauncellor or keeper of the great seal in this realm for the time being, to be always one, shall have power and authoritie by their discretions to set and rate yearely the prices of all kind of wines, that is to say, the prices of tunn, butte, pype, hogthead, punction, tierse or rundlets, when it shall be sold in grosse, and also to set and rate yearely, the prices of wines hereafter to be sold by retayle, any time within the Hillarie term, and at no other time or times of the yeare, so that they or any of them cause the prices by them set downe and rated at be written, and open proclamation thereof to be made in the Queen's

For better
order in the
sale of wines
by retail or in
gross.

Who shall
rate the same.

Within Hi-
lary term on-
ly.

Proclama-
tion thereof
to be made.

A. D. 1586. court of chancery of this realm, openly in the term time, or within forty dayes after in the city, borough, towne or place, where any such wines shall be sold in grosse or by retayle.

Chap. 4.

If wine sold contrary to said rate, forfeiture of double value.

Half to the Queen, half to the city or town where, &c. to use of the corporation: if without a city, &c. to such as will sue.

VII. And it is further enacted by the said authority, That if any person or persons, after such prices shall be set and put in writing by the said lord deputie, or other governor or governors, lord chauncellor or keeper of the great seal, the two chief justices, the chauncellor and chief baron of the Exchequer, or five, foure, or three of them, and proclamation thereof made as is aforesaid, do sell any wines in grosse or by retaile, by any fraud or covin, contrarie to the said prices so set and proclaymed; that then everie offendour in that behalfe, shall lose and forfeit for every time that he shall offend, the double value of the wines so solde contrarie to the said prices; the one halfe of all which forfeitures to be to the Queen our soveraigne lady, her heirs and successors; and the other halfe, if it be within any city, borough or towne corporate, to be to the mayor, sheriffes, bayliffes, or other head rulers of such city, borough, or towne corporate, to the use of the corporation. And if it be without city, borough, or towne corporate, then to be to such of the Queen's subjects as will sue for the same: and that every such forfeiture shall be recovered by original write of debt, bill, plaint or information, in which suit no wager of law shall be admitted, nor any protection or essoyne allowed.

Justices of peace, mayors, &c. may, within or without franchises, hear and punish offenders.

VIII. And it is also enacted, That the justices of peace of every shire of this realm, and all mayors, bailifes, and other head officers in city, borough, and corporate townes, that is to say, every of them within the limits of their commissions and authoritie, as well within franchises as without, shall have power and authority to examine, heare, enquire, and determine the faults of such as shall attempt to doe any thing contrary to the tenour of this act, or to any the severall articles or braunches of the same, and to punish the offenders as the statute doth appoynt and prescribe.

Prosecution must be within one half year after offence.

IX. Provided alwayes, and be it enacted by the authority aforesaid, That this act, or any therein contained, shall not extend to charge any person or persons with any penaltie or forfeiture for, and concerning any offence to be done contrary to the tenor of this act, or of any the severall articles or branches of the same, unlesse he or they so offending be sued, indicted, impeached, or presented for the same, within one halfe year next after the said offence shall be done and committed, as is aforesaid; any thing in this act contayned to the contrarie notwithstanding.

Not to extend to those who buy wines in said havens, &c. who may convey the same to their dwellings.

X. Provided alway, that this act shall not extend to any person or persons that shall buy or cause to be bought any wines in any the ports, havens, or places before in this act appointed for discharge, or hereafter by licence or graunt to be appointed in maner and order aforesaid, but that the same persons, their servants and agents, shall and may convey the wines so bought, by water and by land, to his
and

and their house and dwelling place and places within this realm; any thing within this act to the contrarie notwithstanding.

A. D.
1586.

XI. Provided alway, and be it enacted by the authority aforesaid, That this act, nor any thing therein contained, shall not be prejudiciall or hurtfull to any patentee or patentees of any the office or offices of collectorship, receivorship, or comptrollership, of the said impost or subsidie upon wines, or of the butlership or price wines, but that every of the said patentee or patentees, shall enjoy the benefit of their patent or patents, according to the intent and true meaning of the same, as though one former statute, entituled, *An act giving order for bringing in of wines into this realm, where they shall be discharged, who shall rate the prices of them, and also for graunting of our custome out of the same wines*; made in the eleventh year of the raigne of the Queen's most excellent Majestie, and now expired, were still in force and perpetuall continuance; any thing in this present act contayned to the contrarie notwithstanding.

Nor prejudicial to collectors, &c. who shall enjoy the benefit of their patents, as though the stat. 11 Eliz. sess. 4. cap. 1. (now expired) was still in force.

XII. Provided alway, that this act, or any thing therein contayned, shall not be prejudiciall to a lease made by the Queen's Majestie, to Henry Bronckard, Esq; for term of years yet unexpired, of the custome and subsidies of wines due to her Majestie before the making hereof, but that the same shall stand in full force and effect, according to the contents thereof; any thing in this act to the contrary notwithstanding.

Nor prejudicial to a lease of customs to Hen. Bronckard.

XIII. And be it further enacted by the authoritie aforesaid, that everie such merchant or merchants, bringing wines to any port or haven within this realm, in manner and form aforesaid, shall have the time and space of foure moneths next after the entry made of the ship and wines so brought into this said realm, for the payment of such impost as shall be due for the same unto her Majestie, upon sufficient bond and suretie to be taken by the collector, comptroller, or lessee of the said impost, for the time being, for the true payment thereof, at the times and days expressed.

Merchants to have 4 months time after entry of the ship and wines, for payment of the impost, upon sufficient bond and surety.

XIV. Provided also, that this act, nor any thing therein contayned, shall not be prejudiciall or hurtfull to a lease made by the Queen's Majestie, to Sir Nicholas Bagnall Knight, for divers years yet unexpired, of the custome and subsidie of wines due to her Majestie within the port of Carlingford, but that the said Sir Nicholas and his assigns, may enjoy the benefite of the said lease; any thing in this present act contayned to the contrarie notwithstanding.

Not to prejudice a lease of customs in Carlingford, to Sir Nich. Bagnall.

CHAP. V.

¶ *An Act concerning the avoyding of fraudulent Conveyances, made by the late Rebels in Ireland.* Rot. Parl. cap. 6.

WHERE it hath been, and is very much bruted and published abroad, and by sundry persons pretended, that divers and many of the rebels and persons in and by this present Parliament, and in this session of the same Parliament attainted of treason, after they had intended and purposed to enter into their

27 Eliz. 1. Secret and fraudulent conveyances by rebels, to defraud the Queen of forfeiture.

A. D.

1586.

Chap. 5.

Enacting part.

Persons claiming by conveyances from rebels and persons attainted, within 13 years before this session, shall within one year openly bring into the exchequer and exhibit the same to be entered and enrolled of record.

Otherwise void.

Such offer shall be entered of record in the exchequer, and also such conveyance inrolled, without fee.

And afterwards witnesses may within one year be produced and examined in the exchequer, of such conveyance made *bona fide*, and without fraud or covin.

Yet if at any time after upon information, &c. it shall be tried and proved by verdict, that such conveyance was made upon fraud or covin to defraud the Queen of forfeiture, it shall be void, until such verdict set aside.

their ungodly and devilish practices of rebellion and treason, did make and cause to be made diverse secret and fraudulent estates and conveyances of their lands, tenements, uses and hereditaments, to the intent thereby to defraude the Queen's Majesty of such forfeitures of their lands, tenements, uses, and hereditaments, as her Highness, by reason of their several treasons, should be intituled to have: and for as much as the said pretended fraudulent estates and conveyances are yet kept secret, and not openly published, and in time to come may be very dangerous and likely to tend to disherite the Queen's Majestie, her heyres, successors and assignes of their estate and interest in such lands, tenements and hereditaments, as her Majestie and her assigns now have and ought to have, by reason of the said attaindours, unlesse some provision be made, that such secret estates, conveyances and assurances, may in some due and convenient time, be openly published and brought to light: For remedie whereof, be it enacted by authoritie of this present Parliament, that every person and persons, boddies politique and corporate, their heyres, successors or assignes, which have, hath, or claymeth to have any estate of inheritance, lease, use, rent, common, or other profite, not already entered of record, or certified into the Queen's Majestie's court of Exchequer, in this realm of Ireland, of in or to any honours, castles, mannors, landes tenements, uses or hereditaments, by any graunt, assurances, or conveyances whatsoever, had made, or done by any of the said rebels and persons attainted as aforesaid, or by any seysed to any of their use or uses, at any time within thirteene yeares next before the beginning of this present session of Parliament, shall within one yeare next ensuing the making of this act, openly shew and bring forth, or cause to be shewed and brought forth unto the Queen's Majestie's said court of Exchequer, the same his or their graunt, conveyance and assurance, which he or they have, or hath, or pretended to have of in or to any the said honors, castles, mannors, lands, tenements, uses or hereditaments, and there in the terme time shall offer and exhibit the same graunt, conveyance and assurance, to be entered and enrolled of record, or else every such graunt, conveyance and assurance so had and made by any of the said rebels and persons attainted as aforesaid, or by any other seised to any their use or uses, and not so brought into the said court of Exchequer, and there exhibited within the yeare aforesaid, shall be utterly voyde and of none effect to all intents and purposes; any thing in the same conveyance containd to the contrarie notwithstanding.

II. And be it further enacted by the authoritie aforesaid, that the treasurer, chauncellor and barons of the said court of the Exchequer, or any of them, upon every such offering and exhibiting of any such graunt, conveyance and assurance, hereafter in forme aforesaid to be made, shall forthwith cause the same offer to be entered of record, and shall likewise cause the same conveyance and assurance in the same court, to be entered and enrolled of record, without any fee or reward to be taken or had of the partie for the doing thereof: and after such offer made and recorded, it shall and may be lawfull for every person which hereafter shall so exhibit and offer any such graunt, conveyance and assurance, into the said court of exchequer, at his libertie and pleasure, at all times within one year then next following, to produce and bring such testimony, proofes and witnesses into the said court of exchequer, there to be examined, as he can for the better prooffe of the said grant and assurance to be made (*bona fide*) and without any fraud or covin: and yet nevertheless, if at any time after upon any information upon that case, or other information to be preferred and exhibited into the said court of exchequer, for, and on the behalfe of our said sovereign Lady the Queen, her heyres or successors, or upon any action upon that case or suite, to be prosecuted by any the patentees of the Queen's Majestie, her heires or successors, or by any the heires or assignes of any of the same patentees, it shall happen to be sufficiently tryed and proved by verdict of twelve men, according to the common course of the lawes of this realm, that any of the said estates, assurances and conveyances made by any of the said rebels and persons attainted as aforesaid, was made upon any fraud or covin, to the intent thereby to defraud the Queen's Majestie of such forfeitures as might have grown or comen to her Highnesse by reason of any of the said attaindours; that then every such estate, conveyance and assurance so tryed

tryed and sufficiently proved as aforesaid, to be had and made by and upon such fraud or covin, shall be utterly void and of none effect, to all intents, constructions and purposes, untill such time as such triall by verdict shall be lawfully undone by attainr or otherwise, any thing in the said conveyances to the contrarie thereof in any wise notwithstanding. Saving to all and every person and persons, and bodies politique and corporate, their heires and successours, and to the heires and successours of every of them (other then the said rebels and persons attainted as aforesaid, and their heires, and the heires of everie of them, and all and every other person and persons, having or clayming any thing in the said honors, castels, manors, lands, tenements, and other the premisses or any part thereof, to their uses, or to the use of some or any of them, or to the use of any their said heires, as heires to them, or any of them, and other then such persons and their heires as be or have been parties, or privie to any estates or conveyances made by fraude, or covin, as is aforesaid, and other then such as shall not exhibite and shew forth their said graunts, conveyances and assurances, in the said court of exchequer, within the time to them before in this act limited) all such estate, right, title and interest, as they or any of them have, of, in, or to any of the said honours, manours, landes, tenements, uses and hereditaments, or any parcell thereof, in as large and ample manner and form, to all intents and purposes, as if this act had never been had or made.

A. D.
1586.

Saving the
right of others.

III. Provided alwayes, that this act, or any thing therein contained, shall not extend to any lease for life, lives or years, made before the severall treasons aforesaid committed, of any lands, tenements or hereditaments, most commonly used to be letten to farm within the space of twenty years before the making of the same lease, so as the same lease exceed not the terme of one and twentie yeares, or three lieves, from the time of the making of the same lease, and that thereupon the said accustomed yearly rent or more be reserved, nor shall extend to any estate by copy of any lands or tenements, made according to the custome of any mannor, whereof the same is parcel, at any time before the said severall treasons committed.

Not to extend
to leases of land
usually let with-
in 20 years be-
fore, not exceed-
ing 21 years or 3
lives, and where
the accustomed
rent or more re-
served.

Nor to estates
by copy.

CHAP. VI.

An Act against Forging and Counterfeyting of forrein Coyne, &c.
Rot. Parl. cap. 8.

FORASMUCH as by the lawes or statutes of this realm, small or no condigne punishment is at this time provided for such evil disposed persons, as shall counterfit or forge such kind of gold or silver of other realms, as is not the proper coyne of this realm, nor currant in payment within this realm, by reason whereof, divers evill disposed persons, as well without this realm, as within, are encouraged and boldened daily to counterfeyte or forge such kind of gold and silver, and utter the same in this realm, in great decay of her Majesties subjects: be it enacted by our soveraigne lady the Queen's Majestie, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authority of the same, That if any person or persons hereafter falsly forge or counterfeyt any such kind of coyne of gold or silver, as is not the proper coyne of this realme, nor permitted to be current within this realme, that every such offence shall be deemed and adjudged misprision of high treason, and the offenders therein, their procurers, aydors and abettors, being convicted, according to the lawes of this realme of such offences, shall be imprisoned, and forfeit such lands,

14 Eliz.
3. Eng. Vide
23 & 24 G. 3.
c. 50.

Counterfeit-
ing foreign
coin of gold
or silver, not
current in
this realm,
misprision of
high treason.

Penalty.

A. D. goods and chattels, as in cases of misprision of treason, or concealment of high treason.
 1586.

C H A P. VII.

An Act for the Attainder of the late Earl of Desmond, and others mentioned in this Act. Rot. Parl. cap. 4.

The earl of
Desmond,
and others
attainted of
high treason.

IN their most humble wise beseechen your most excellent Majesty, the lords spirituall and temporall, and all other your loving and obedient subjects, the commons of this your most high court of Parliament assembled, That whereas Gerrot Fitz Gerrold, late earle of Desmond; Sir John Fitz Gerrold, knight, *alias* Sir John of Desmond, knight; Sir James Fitz Gerrold, knight, *alias* James ne Dynnoll, *alias* Sir James of Desmond, knight; James Fitz Morice of Desmond, *alias* James Fitz Morice, gentleman; James Fitz John Fitz John of Desmond, of the Currens in the countie of Kerie, gent. Thomas Fitz John Fitz John of Desmond, of the Currens aforesaid, gent. Teige Mac Dermot, Mac Cormack, Mac Cartie of Mollaeffe in the said county of Kerie, gent. Rory Odonagh, gent. *alias* Odonogh Moore of Rossidonogho in Desmond in the said countie of Kerie, gent. Nicholas Mac Shane Piers, gent. *alias* Mac Shane, of Clanary in the same countie of Kerie, gent. Thomas Browne, of the new towne in Clanmonulbe in the same countie of Kerie, gent. Finin Mac Cormock, of the sept of Claudermot in Desmond in the same countie of Kerie, gent. Thomas Fitz David Gerrold, of Ardenragh in the same countie of Kerie, gent. Richard Fitz Thomas, gent. *alias* Mac Thomas, of the Palace in the countie of Limericke, gent. David Fitz Gerrold, of the Great Woode, gent. *alias* David Encorige, in the same countie of Limericke, gent. Morogh O Brian, of Aherlogh in the same countie of Limmericke, gent. Hugh Wale, gent. *alias* Faltagh Odon Moylen, in the same countie of Limmericke, gent. Nicholas Fitz Williams, of Courtmatraskie in the same countie of of Limmericke, gent. Thomas Cam, gentleman, *alias* Thomas Mac Shane, of Balletabred, *alias* Gortenetibord, in the same countie of Limmericke, gent. and lord of Clevlish; Thomas Mac Gybbon, of Mahawnagh in the same countie of Limmericke, gentleman; John Supple, of Kilmako, in the same countie of Limmericke, gent. Cormock Downe Mac Cartie, of Glaucrim in the countie of Corke, gent. Conocor Omahonye, of Kivelmeake in the same countie of Corke, gentleman; Gibbon Roe Mac Shane, of the great Wood in the same countie of Corke, gent. Morice Fitz Gerrot, of the Shian in the same countie of Corke, gent. James Fitz Morice, of the Shian aforesaid, in the same countie of Corke, gent. Donnel Mac Connor Omahowne, of Rosebryne in the same countie of Corke gent. James Mac Shane Mac Gerrot, gent. *alias*

James

James Fitz John Gerrot, of Strenecally in the countie of Waterford, gent. Morice Mac Gerrot Mac En Earle, of Shian in the same countie of Waterford, gent. Richard Fitz John Fitz Morice, of Knockmean of the same countie of Waterford, gent. Morice Fitz John, of Knockmean aforefaid, in the same countie of Waterford, gent. Gerrot Brack, of Melcope, in the same countie of Waterford, gent. Brian O Brian ne Carrege, of Kilcomerie, *alias* Comeragh in the same countie of Waterford, gent. Moroh O Brian, of Dongrotte in the countie of Tipperary, gent. Walter Fitz John Bourke of Knockneden, *alias* of the Cappagh in Muskery Curke, in the same countie of Tipperarie, gent. John Fitz Walter Bourke, of Ballingurtin, in the same countie of Tipperary, gentleman; Geffry Burke, of Kilenkaskie in the same countie of Tipperary; Thomas Fitz John Bourk, of Cowley in the same countie of Tipperary, gent. John Mac William Mac Tibbot Bourk, of Clanwilliam Coshury in the same countie of Tipperary, gent. most fallly and trayterously, some of them by open rebellion in divers parts of your Majesties realm of Ireland, and the others, by fundrie confederacies and conspiracies, and other overt facts, have committed, perpetrated, and done many detestable and abominable treasons against your Highnesse, to the great perill and daunger of the utter destruction and overthrow of the good estate and publicque peace of this your said realme of Ireland, if God of his infinite goodnesse had not in due time opened and revealed to your Highnesse their trayterous intents and purposes, and discomfited them in the same: It may please your Highnesse, of your most gracious and accustomed goodnesse, and for the entire love, favour, and heartie affection that your Majestie hath alwayes heretofore borne, and yet beareth to the common wealth of this your said realm of Ireland, and for the good preservation of your most excellent Majesties government of the same, and of the good peace, unitie, and rest of all us your most bounden and obedient subjects thereof, to graunt and assent, at the humble suit and petition of your said loving and obedient subjects, the lords spirituall and temporall, and the commons in this present parliament assembled, that it may be enacted by the authoritie of this present Parliament, That the said Gerrot Fitz Gerrold, late earle of Desmond, Sir John Fitz Gerrold, knight, Sir James Fitz Gerrold, knight, James Fitz Morice of Desmond, James Fitz John Fitz John of Desmond, Thomas Fitz John Fitz John of Desmond, Teige Mac Dermot, Mac Cormock Mac Cartie, Rorey Odonogho, Nicholas Mac Shane Piers, Thomas Browne, Fynine Mac Cormacke, Thomas Fitz David Gerrold, Richard Fitz Thomas, David Fitz Gerrold, Morogh O Brian, Hugh Wale, Nicholas Fitz William, Thomas Cam, Thomas Mac Gibbon, John Supple, Cormocke Downe Mac Cartie, Conocor Omahony, Gybbon Roe Mac Shane, Morice Fitz Gerrot, James Fitz Morice of the Shian, Donell Mac Conor Omahowne, James Mac Shane Mac Gerrot, Morice

A. D.
1586.
Chap. 7.

A. D.

1586.

Chap. 7.

The forfei-
tures.Their lands,
Ec. vested in
the Queen
without of-
fice or inqui-
sition.Confirmati-
on of attain-
ders of treason
by outlawry
or verdict and
judgment.Saving the
right of o-
thers.

Mac Gerrot Mac En Earle of Shian, Richard Fitz John Fitz Morice, Morice Fitz John, Gerrot Bracke, Brian O Brian ne Carage, Morogh O Brian, Walter Fitz John Bourk, John Fitz Walter Bourke, Geffrey Bourke, Thomas Fitz John Bourke, and John Mac William Mac Tibbot Bourke, and all and every of them, for their said abominable and detestable treasons by them, and every of them, most abominably and trayterously committed, perpetrated, and done against your Highnesse, and this your said realme of Ireland, be, and shall be by authoritie of this present act, convicted and attainted of high treason: and that as many of the said offenders, and persons before named, as be yet in life, and not pardoned for the same offences, shall and may, at your Highnesse will and pleasure, suffer paines of death, as in cases of high treason. And that the said earle of Desmond, and all and every of the said offenders, and persons by this present act attainted, for their said treasons shall lose and forfeit to your Highnesse, and to your heires and successors, all and every such honors, castles, mannors, messuages, lands, tenements, rents, reversions, remainders, possessions, rights, conditions, interests, offices, fees, annuities, and all other their hereditaments, goods, chattels, debts, and other things, of whatsoever names, natures, or qualities they be, which they, or any of them, had to their or any of their use or uses, or which they, or any of them, with any other, had to their or any of their uses, or which any other had to their or any of their uses, on any the daies of their said severall treasons committed, perpetrated, or done, or at any time sithence. And that all and singular the said honors, castles, mannors, messuages, lands, tenements, rents, reversions, remainders, possessions, rights, conditions, fees, annuities, and all other hereditaments, goods, cattels, debtes, and other the premises by this acte be, and shall be deemed, vested, and judged to be in the actuall and reall possession of your Majestie, without any office or inquisition thereof hereafter to be taken or found. And that concerning such and so many of the offenders aforesaid, as before this act were attainted of treason, for any of their said offences, either by outlawry, or by verdict and judgment thereupon given by the laws of this realme of Ireland, every of the same their outlawries and attaindours be and shall be approved and confirmed by authoritie of this present act. Saving to all, and every person and persons, bodies politique and corporate, and to their heires, successors, and assignes, and every of them (other then the said earle of Desmond, and other the said offenders, and their heires, and the heires of every of them, clayming any thing in the said honors, castles, mannors, messuages, lands, tenements, and other the premises, or any part thereof, as heire or heires to and from them, or any of them, and all and every other person and persons clayming, or having any thing in the sayde honors, castels, mannors, messuages, lands, tenements, and other the premises, or any part thereof

thereof to their uses, or to the use of some or any of them, or to the use of any of their said heires as heires to them or any of them) all such right, title, use, possession, interest, reversions, remainder, entrie, condition, fees, offices, rents, annuities, leases, commons, action, suit, petition, execution, and all other hereditaments, and all actions and means to recover or obtaine the same whatsoever, which they, or any of them, had or ought to have in the premisses, or any part thereof, before the said severall treasons by the said severall offendours committed or done, in as large and ample maner, to all intents and purposes, as if this act had never been had or made; any thing therein containd to the contrarie thereof notwithstanding.

A. D.
1586.
Chap. 7.

II. Provided alwayes, and nevertheless be it enacted by the authority aforesaid, That this act, or any thing therein contained, shall not in any wise extend to make voyde any grant, gift, lease, or demise, made by our soveraigne lady the Queen, of any of the said honours, castles, mannours, lands, tenements, or hereditaments, to any person or persons, by letters pattents under the great seal of Ireland, at any time or times, sithence the said treasons committed, but that the same gifts, grants, and leases, and every of them, shall stand, and be of such like force and effect in the law, to all intents and purposes, and of none other or better force, but as if this act had never been had or made; any thing in this act contained to the contrary thereof notwithstanding.

Grants or
leases by the
Queen by let-
ters patent,
since the trea-
sons commit-
ted stand in
force.

III. And be it also further enacted, That this act, or any thing therein containd, shall not in any wise extend to take away, or make voyd any pardon heretofore made under the great seal of Ireland, to any of the said persons and offendours by this act attainted, but that the said persons, and every of them to whom any such pardon is or hath been graunted, shall and may have and take the advantage and benefit of every such pardon, and of all things therein contained, in as large and ample manner, as they, or any of them, should, might, or ought to have done, if this act had never been had or made; any thing in this act contained to the contrarie thereof in any wise notwithstanding.

And also
pardons under
the great seal.

IV. And whereas the said earl of Desmond, and other the said rebels and persons by this act attainted, or some or any of them, at the time of their said treasons committed and done, were and stood seised of any mannours, lands, tenements, and hereditaments, to the use of any other person or persons, bodies politique or corporate, not being attainted of treason, and not to their, or any of their own use and behoof; be it further provided and enacted by the authoritie of this present Parliament, That all and everie such other person and persons, bodies politicque and corporate, not being attainted, to whose use or uses the said earl of Desmond, and other the persons by this act attainted, or some or any of them, were so seised as is aforesaid, the day of their said several treasons com-

They to
whose use the
persons at-
tainted stood
seised may en-
ter, &c. as if
said attainders
never had
been.

A. D.
1586.

Jointenants
with said re-
bels to uses,
to stand seised
of the whole
to like uses.

mitted, or at any time thence, and the heires and assigns of every such other person or persons, shall and may, from time to time, enter into the same mannours, lands, tenements, and hereditaments, and every or any part thereof, aswell upon the possession of our said sovereign lady the Queen's Majestie, her heirs and successours, as of any other person or persons, and thereupon make and execute all and every such estates thereof to any other person or persons, and to such uses and intents, as they might have done, if the same attaindour or attaindours had never been had or made. And as touching such mannours, lands, tenements, and hereditaments, whereof the said earl of Desmond, and other the offendours and persons by this act attainted, or some or any of them the day of their said severall treasons committed, or at any time thence, were joyntly seised, together with any other person or persons, to the use of any person or persons, not being attainted of treason, that the same other person and persons, with whom the said offendours and persons by this act attainted, or some or any of them, were so joyntly seised as is aforesaid, shall stand and be seised of the same whole mannours, lands, tenements, and hereditaments, and of every part thereof, to such uses and intents, as they were so joyntly seised the day of the said severall treasons committed, the said attaindours, or any of them notwithstanding, as though the said offendours, and persons by this act attainted, or any of them, had never had any estate of, or in the said mannours, lands, tenements or hereditaments.

C H A P. VIII.

An Act for the Attainder of John Browne of Knockmonbie, and others mentioned in this Act. Rot. Parl. cap. 5.

John Browne
and others
attainted.

IN their most humble wise beseechen your most excellent Majesty, the lords spirituall and temporall, and all other your loving subjectes, the commons in this your most high court of Parliament assembled, That whereas John Browne of Knockmonbie, in the same countie of Limericke, gentl. John Bradagh Casy of Kilderry, in the same countie, gent. Morogh Obrian of Aherlo, in the same countie, gentleman; Mahon Mac Moragh Obrian of Kiluehume, in the same countie, gentleman; Thomas Browne of Kilkellan, in the same countie, gent. David Mac Gibbon, gent. *alias* David Mac Shane, *alias* David Engroig, late of Kilmore, in the same countie, gent. James Wale, and Stephen Wale of Clomstrotchan, in the same countie, gent. Pierce Wale, *alias* Peter Wale of Balleigny, in the same countie, gent. Redmond Wale of Adare, in the same countie, gent. Robert Oge Cusshane of Liffecorie, in the same countie, gent. Gerald Fitz Thomas of Kilfinny, in the same countie, gent. Walter Leo, *alias* Leogh of

Donkepe in the same countie, gent. Owen Mac Edmond Mac Shehy of Ballynoe, in the same countie, gent. John London of Kilcosgraw, in the same countie, gent. Donogh Moyle Mac William of Dromlare, in the same countie, gent. Edmond Oge Lacy of Ballyneglochye, in the same countie, gent. Gerald Duffe of Rathphrille, in the same countie, gent. James Fitz David Oge Crone of Rathphrile aforesaid, in the same countie, gent. Patricke Wolfe of Balliwilliam, in the same countie, gent. Gerald Fitz-Edmond of Glanehagilly, in Clangibbon in the same countie, gent. Brian Roe of Cahirduffe, in the same countie, gentleman; Cormocke Oge Hallynan of Boheronce, in the same countie, gent. James Reogh Lacy of Lismakerry in the same countie, gent. Gerard Balliffe of Ballinfriorie, in the same countie, gent. Thomas Wale of Boherbradagh, in the same countie, gent. Morierto Mereagh of Kilduffe, in the same countie, gent. Moryegh Mac Brian of the Grange, in the same countie, gent. Thomas Hurly of Ballynathie, in the same countie, gent. William Mac Phillipe of Ballyany, in the same countie, gent. Ulliake Backagh Mac Thomas of Clafhonye, in the same countie, gent. Ullicke Fitz Thomas Burk of Lyfmoland, in the same countie, gent. Owen Mac Brien Mac Rory of Karwhydore, *alias* Garryduffe, in the same countie, gent. John Ocaghiffy of Kilderry, in the same countie, gent. Morogh Mac Teige O Brian of Killury in the same countie, gent. Morice Fitz John Gerrold of Kilnenagh, in the same countie of Kerry, gent. Conohor Odaly of Kilterchan, in the same countie, gent. John Oge Fitz John Fitz Morice of Killenoragh, in the same countie, gent. Morice Mac Shane Hufsey, *alias* Hufsey of Glangartenkarrene, in the same countie, gent. John Hufsey of Ballycurty, in the same countie, gent. John Mac Edmond Mac Ullicke of Ballenata, in the same countie, gent. James Huffy of Dinglecushe, in the same countie, gent. James Russell, in the same countie, merchant; Dominicke Roe Fitz Morice of the same countie, merchant; Thomas Fitz William Boy, of the same countie, gentleman; David Duffe of Kilkusney, in the same countie, gent. Teige O Loigh Dermot Beare, of the same countie, gentleman; John Fitz James Fitz Edmond of Tymackmaw, in the same countie, gent. John Fitz Redmond of Ballycoynan, in the countie of Corke, gent. Piers Condon of Manoge in Condons countrey, in the same countie, gent. Morice Mac Edmond of Rathegorffe, in the same countie of Corke, gent. James Fitz John of Polloghkyry, in the same countie, gent. John Mac Garret, Mac Shane of the Great Woods, in the same countie, gent. Richard Fitz Piers Condon ny Cahareagh of Cahirdronny, in the same countie, gentleman; Richard Riogh Barret of Burdenston, in the same countie, gent. Mahown Mac Moragh of Kildeheny, in the same countie, gent. John Omollownow, *alias* Shane Omolan of Temple Jogan, in the same countie, gent. John Piggot of Dyrrenywrangle, *alias* Dyrrewylane, in the same countie, gentleman; Phillipe Roche

A. D. 1586.
 Chap. 8. Fitz Edmond, *alias* Mac Vildon, *alias* Villon of Carriclymlere, in the same countie, gentleman; Thomas Oge Mac Thomas Fitz Gerald of Kilmocke, in the same countie, gentleman; William Encorrigge of Kerylarry, in the same countie, gentleman; Thomas Niskartie of Killane in the same countie, gentleman; John Moyle of Ballygoran, in the same countie, gentleman; David Fitz Edmond Roche of Killoughtermoy, in the same countie, gentleman; Morice Fitz John of Knockmore, in the same countie, gentleman; Morice Fitz William Fitz David of Ballynatra, in the same countie, gentleman; Garrat Fitz James, sonne to James Fitz John of Stroncally, in the countie of Waterford, gentleman; John Fitz-James, gentleman, brother to the same Garret; Morice Fitz John of Knockmohan, in the same countie, gentleman; Thomas Fitz John Fitz Morice of Knockemohan aforesaid, gentleman; Henry Fitz Garret, of the same countie, gentleman, brother to the viscount Decies; Edmond Roche Pore of Killnecarrigge, in the same countie, gentleman; Edmond Fitz Theobald, *alias* Rabbin of Ballibegge, in the same countie, gentleman; John Fitz-Tybald of Ballibegge aforesaid, gentleman, brother to the said Edmond Fitz Theobald; William Duffe Fitz James Roche of Ballymodagh, in the same countie, gentleman; Edmond Fitz John of Croshe, in the same countie, gentleman; Rorie Fitz Thomas, in the same countie, gent. brother to Thomas Oge; James Leigh Roch of Fortelentehy, in the same countie, gent. Mauritius Fitz John of Kilmallow, in the same countie, gent. John Oge Mac Thomas of Clony, in the same countie, gent. John Fitz Maurice of Tynnekelly, in the same countie, gent. James Fitz Morice Fitz-Garret of Ballymowtie, in the same countie, gent. John Roe Fitz-Edmond of Casclereogh, in the same countie gent. Morice Fitz-John Bourke of Balligwiry, in the same countie, gent. James Fitz-Maurice of Shehan, in the same countie, gent. William O Maugher Mac Dermot, of the same countie, gentleman; Peter Grace of Ballynecurre, in the countie of Tipperarie, gentleman; *alias* Pierce Grace of Ballynecurre aforesaid, gentleman; Mellaghlen Roe O-carran of Ballynolan in the same countie, gent. Edmond Hedan of Ballymore, in the same countie, gent. John Bourk, *alias* Rich Mac John Bourke of Ballymore, aforesaid, gent. William Fitz-Edmond Bourke of Kilualagher, in the same countie, gent. John Fitz Walter Bourke of Drourgan, in the same countie gent. Conogher Yckoem Mac Brian Ogonagh, gent. Morertogh Mac Brien of Tireboy, gent. Morogh Mac Brian of Tireboy aforesaid, gent. Teige O Nulrian of Bealrughim, in Onhy, gentleman; Kenedy Mac Brien of the countrey of Ogonagh, gentleman; Conoghor Mac Conghor Mac Brien of the same countrey of Ogonagh, gentleman; Teige Roe of the Sept of Clandonell Roe of Bantry, gent. Teige Roe Mac Fyning Mac Dermond, of the same Sept, gent. Conogher Mac Donell Mac Rory of the same Sept,

Sept, Gentleman; most falsely and trayterously, some of them by open rebellion in divers parts of your Majesties realm of Ireland, and the others by fundrie confederacies, and conspiracies and other overt-facts, have committed, perpetrated, and done many detestable and abominable treasons against your highnesse, to the great perill and danger of the utter destruction and overthrow of the good estate and publike peace of this your said realm of Ireland, if God of his infinite goodness, had not in due time opened and revealed to your Highnes, their traiterous intents and purposes, and discomfited them in the same: And where also divers others by actuall rebellion, and other traiterous actions and practises, most traiterously and abominably have joined and combined themselves with many of the said offenders, in their said rebellions and treasons, or have ayded or assisted them in the same, and have died and been slaine in their actuall rebellion and treasons, or otherwise have been by martiall law executed for the same: It may please your Highnes of your most gracious and accustomed goodness, and for the entire love, favour and heartie affection that your Majestie hath always heretofore borne, and yet beareth to the common-wealth of this your said realm of Ireland, and for the good preservation of your most excellent Majesties government of the same, and of the good peace, unity and rest, of all us your most bounden and obedient subjects thereof, to graunt and assent at the humble suit and petition of your said loving and obedient subjects, the lords spirituall and temporall, and the commons in this present Parliament assembled, That it may be enacted by the authority of this present Parliament, that aswell the said John Brown, John Bradah Casi, Morogh Obrian, Mahown Mac Morogh Obrian, Thomas Brown, David Mac Gibbon, James Wale, Stephen Wale, Pierce Wale, Redmond Wale, Robert Oge Cuschan, Gerard Fitz Thomas, Walter Leo, Owen Mac Edmond Mac Shehy, John London, Donagh Moyle Mac William, Edmond Oge Lacy, Gerald Duffe, James Fitz David, Oge Crone, Patrick Wolf, Gerald Fitz Edmond, Brian Ro, Cormick Oge Ohallinan, James Reogh Lacy, Gerald Baliffe, Thomas Wale, Morierto Mergagh Moriegh Mac Brien, Thomas Hurly, William Mac Philip, Ullick Bachach Mac Thomas, Ullick Fitz Thomas Burk, Owen Mac Brian Mac Rory, John Occahiffy, Moroh Mac Teige Obrien, Morice Fitz John Gerald, Conoghor Odaly, John Oge Fitz John Fitz Maurice, Morice Mac Shane Hufsey, John Hufsey, John Mac Edmond Mac Ullick, James Hufsey, James Russell, Dominick Ro Fitz Morice, Thomas Fitz William Boy, David Duff, Teigh Oloigh Dermot Beare, John Fitz James Fitz Edmond, John Fitz Redmond, Pierce Condon, Morice Mac Edmond, James Fitz John, John Mac Garret Mac Shane, Richard Fitz Pierce Condon ny Caharagh, Richard Riogh Barret, Mahown Mac Morogh, John Omulldownow, John Piggot, Philippe Roch, Fitz Edmond, Thomas Oge Mac Thomas

A. D.
1586.
Chap. 8.

Enacting
part.

A. D. 1586. Chap. 8. Fitz Gerald, William Encorrigge, Thomas Niskarty, John Moyle, David Fitz Edmond Roch, Morice Fitz John, Morice Fitz William Fitz David, Garret Fitz James, John Fitz James, Thomas Fitz James, Morice Fitz John, Thomas Fitz John Fitz Morice, Henry Fitz Garret, Edmond Roch Pore, Edmond Fitz Theobald, John Fitz Tybald, William Duffe Fitz James Roch, Edmond Fitz John, Rory Fitz Thomas, James Leigh Roch, Mauritius Fitz John, John Oge Mac Thomas, John Fitz Morice, James Fitz Morice Fitz Garret, John Roe Fitz Edmond, Morice Fitz John Bourke, James Fitz Morice, William O Magher Mac Dermot, Peter Grace, Mallaghlen Roe O Carren, Edmond Heddan, John Bourk, William Fitz Edmond Bourk, John Fitz Walter Bourk, Conogher Yckoem Mac Brian Ogonoghe, Morierto Mac Brian, Morghe Mac Brian, Teig O Mulryan, Kenedy Mac Brien, Conogher Mac Conogher Mac Brian, Teige Roe, Teige Roe Mac Fyning Mac Dermot, Conogher Mac Donill Mac Rory, and every of them, as also all other which by actuall rebellion, and other trayterous actions and practises, have trayterously joyned or combined themselves with the foresaid offenders, or any of them, in their said rebellions or treasons, or have aided or assisted them, or any of them, in any the said rebellions and treasons, and have died or been slaine in the same their actuall rebellion or treasons, or have been by martiall law executed for the same, for their said abominable and detestable treasons by them and every of them, most abominably and trayterously committed, perpetrated and done against your Highnesse, and this your said realm of Ireland, be, and shall be by authority of this present act convicted and attainted of high treason: and that as many of the said offenders and persons before named, as be yet in life, and not pardoned for the same offences shall and may, at your Highnesse will and pleasure, suffer paines of death as in cases of high treason. And that all and every the said offenders by this present act attainted for their said treasons, shall lose and forfeit to your Highnesse, and to your heires and successors, all and every such honors, castels, mannours, messuages, lands, tenements, rentes, reversions, remainders, possessions, rights, conditions, interests, offices, fees, annuities, and all other their hereditaments, goods, chattles, debts, and other things of whatsoever names, natures or qualitties they be, which they or any of them had to their, or any of their use or uses, or which they or any of them, with any other had to their or any of their uses, or which any other had to their or any of their uses, on any the dayes of their said several treasons committed, perpetrated or done, or at any time sithence. And that all and singular the said honours, castles, mannours, messuages, lands, tenements, rents, reversions, remainders, possessions, rights, conditions, fees, annuities, and all other hereditaments, goods, cattles, debts, and other the premisses, by this act be, and shall be deemed, vested and adjudged to be

and those
that assisted
said offenders,
and died in
rebellion, or
executed by
martial law.

Their lands
&c. forfeited,

vested in the
Queen with-
out office or
inquisition.

be in the actuall and reall possession of your Majestie, without any office or inquisition thereof, hereafter to be taken or found : and that concerning such and so many of the offendours aforesaid, as before this act were attainted of treason for any of their said offences, either by outlawrie, or by verdict and judgment thereupon given by the lawes of this realm of Ireland, every of the same their outlawries and attaindours be, and shall be approved and confirmed by authoritie of this present act. Saving to all and every person and persons, bodies politique and corporate, and to their heires, successeurs and assigns, and every of them, (other then the said offendours, by this act attainted, and their heirs, and the heires of every of them, claiming any thing in the said honors, castles, mannors, messuages, lands, tenements, and other the premisses, or any part thereof, as heire or heires to and from them, or any of them, and all and every other person and persons clayming or having any thing in the said honors, castles, mannors, messuages, lands, tenements, and other the premisses, or any part thereof to their uses or to the use of some or any of them, or to the use of any their said heires, as heires to them or any of them) all such right, title, use, possession, interest, reversion, remainder, entrie, condition, fees, offices, rents, annuities, leases, commons, action, suit, petition, execution, and all other hereditaments, and all actions and means to recover or obtain the same whatsoever, which they or any of them, had, or ought to have in the premisses, or any part thereof, before the said severall treasons by the said severall offendours committed or done, in as large and ample manner to all intents and purposes, as if this act had never been had or made ; any thing herein conteyned to the contrarie thereof notwithstanding.

A. D.
1586.
Chap. 8.
Confirmation of attainder by outlawry or verdict.
Saving the right of others.

II. Provided alwayes, and neverthelesse be it enacted by the authoritie aforesaid, That this act, or any thing therein contayned, shall not in any wise extend to make voyde any graunt, gift, lease or demise, made by our soveraigne Ladie the Queen, of any the said honors, castles, mannours, messuages, lands, tenements or hereditaments, to any person or persons by letters patents under the great seale of Ireland, at any time or times sithence the said treasons committed, but that the same giftes, grauntes and leases, and everie of them, shall stand and be of such like force and effect in the law to all intents and purposes, and of none other or better force, but as if this act had never beene had or made ; any thing in this act contayned to the contrarie thereof notwithstanding.

Grants or leases by the Queen by letters patent, since the treasons committed remain in force.

III. And bee it also further enacted, that this act, or any thing therein contained, shall not in any wise extend to take away, or make voyd any pardon heretofore made under the great seale of Ireland to any of the said persons and offendors by this act attainted, but that the said persons and every of them, to whom any such pardon is or hath been granted, shall and may have and take the advantage

Former pardons not made void.

A. D. 1586. Chap. 8. and benefite of every such pardon, and of all things therein contained in as large and ample manner as they or any of them should, might or ought to have done, if this act had never been had or made: any thing in this act contayned to the contrarie in any wise notwithstanding.

They, to whose use said rebels seised, may enter, &c. as if said attainders never had been.

Jointenants with said rebels to uses stand seised of the whole to like uses.

IV. And whereas the said rebells and persons by this act attainted, or some, or any of them, at the time of their said treasons committed and done, were and stood seised of any mannors, lands, tenements and hereditaments, to the use of any other person or persons, bodies politique or corporate, not being attainted of treason, and not to their or any of their owne use and behoofe: Be it further provided and enacted by the authoritie of this present Parliament, that all and every such other person and persons, bodies politique and corporate not being attainted, to whose use or uses the said persons by this act attainted, or some or any of them were so seised as is aforesaid, the day of their said severall treasons committed, or at any time sithence, and the heires and assignes of every such other person and persons, shall and may from time to time enter into the same mannours, lands, tenements, and hereditaments and every or any part thereof, aswell upon the possession of our said soveraigne Ladie the Queene's Majestie, her heires and successours, as of any other person or persons: and thereupon make and execute all and every such estates thereof, to any other person or persons, and to such uses and intents as they might have done, if the said attaindour or attaindours had never been had or made. And as touching such manors, lands, tenements, and hereditaments, whereof the said offenders and persons by this act attainted, or some or any of them, the day of their said severall treasons committed, or at any time sithence, were jointly seised together with any other person or persons to the use of any other persons, not being attainted of treasons, that the same other person and persons with whom the said offendours and persons by this act attainted, or some or any of them were so joyntly seised as is aforesaid, shall stand and be seised of the same whole manors, lands, tenements, and hereditaments, and of every part thereof, to such uses and intents, as they were so joyntly seised the day of their said severall treasons committed, the said attaindours, or any of them notwithstanding, as though the said offendours and persons by this act attainted, or any of them, had never had any estate of, or in the said mannours, lands, tenements or hereditaments.

C H A P. IX.

A. D.
1586.

An Act for the Restitution in Bloud of Taffe's Wife. Rot. Parl. cap. 3.

IN most humble wise sheweth unto your Highnesse, your faithfull and humble subjects, Nicholas Taffe of Atheclare, in the countie of Lowth, in your realm of Ireland, gentleman, and Jane his wife; that where in a Parliament holden at Dublin the eight and twentieth yeare of the raigne of your most noble father, of famous memorie, King Henry the eight, before the Lorde Leonarde Graye, then lord deputie of this realm, it was recited, that Christopher Eustace of Ballyculland, father unto the said Jane, had committed treason, and being thought that the sayd recitall was not sufficient to attaint the sayd Christopher, therefore in a Parliament in the eleventh year of your Majestie's reign, holden before the right honourable Sir Henry Sidney, knight of the most noble order, then lord deputie of the said realm, it was enacted that the said Christopher Eustace should be deemed, reputed and adjudged as a traytor, and a person attainted of high treason, and should lose and forfeit all his lands, tenements and hereditaments; by force of which act the sayd Jane doth stand, and is a person corrupted in blood, and thereby disabled to take or clayme any thing by discent from her sayd auncestor, or from or by any other collaterall auncestor or cousen, or make her pedigree by the said Christopher her father: and forasmuch as the sayd Jane, your Highnesse supplyant, findeth in her selfe a great blemish and defect, for that she is not restored to her blood: your supplyants most humbly beseech your Majestie that it may be enacted, that the said Jane your supplyant may be restored in blood, and to her blood. May it therefore please your Highnesse, upon the humble suit of your said subjects, to graunt that it may be enacted by your Majestie, with the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authority of the same, that immediately from henceforth your said humble subject, Jane Eustace, shall and may be restored and enabled in blood and name to inherite as heyre to any of her auncestors lineall or collaterall: and that she from henceforth shall and may be enabled, as heyre in blood, to demaunde, aske, clayme, and have all and singular mannours, lands, tenements and hereditaments, with their appurtenances whatsoever, which at any time hereafter shall discend, come or revert to her or her heyres, from any her or their lineall or collaterall auncestor or auncestors: and that she and her heyres may make her and their pedigree and conveyance as heyres in blood unto her said late father, or any other her auncestor or auncestors lineall or collaterall to all respects and purposes, in as large and ample manner, as though the said Christopher Eustace had never

Nicholas
Taffe's wife,
daughter of
Christopher
Eustace, (who
was attainted,
28 H. 8. and
11 Eliz. 3.
sess. 1.) re-
stored in
blood.

A. D.
1586.
Chap. 9.

Saving to
the Queen,
and others all
right, &c.

been attainted, and as though the said judgement and attaindor had never been. Saving to your Highnesse, your heyres and successours, and unto all and every other person and persons, bodies politike and corporate, their heyres, successours and assignes, and to the heyres, successors and assignes of every of them, all such estate, right, title, interest, remainder, use, possession and demaund, as your Highnesse, or any other person and persons, bodies politike and corporate, or any of them have, or ought to have of, in, or to any mannors, lands, tenements, and hereditaments with the appurtenances, in as large and ample manner and forme, as though this act had never been had or made; any thing therein contayned to the contrarie thereof in any wise notwithstanding.

Not to
make void
former grants
or leases.

II. Provided alway, and be it enacted by the authoritie afore-said, that this act, nor any thing therein contayned, shall not extend to make voyd or frustrate any gift, graunt, lease for life or yeares, or any other estate of freehold or inheritance passed and graunted by your Highnesse father, King Henry the eight, of famous memorie, your Highnesse brother, King Edward the sixt, your Highnesse sister, Queen Mary, or the late King and Queen, Philip and Queen Mary, your Highnesse, or the said Jane and her assignes, or any of them, but that all such graunts, gifts, leases, and every estate, interest, freehold, inheritance and term, as is given and made for years, and every of them, shall be and remaine of such force and effect in law, as they be and were before this act, and in such force and effect to all intents, purposes and constructions, as if this act had never been had ne made; this act, or any thing therein contayned in any wise notwithstanding.

To extend
to the restitu-
tion in blood
only.

III. Provided alway, and be it enacted by the authority afore-said, that this act, or any thing therein contayned, shall not in any wise be prejudiciall unto her Highnesse, nor in any wise further beneficiall to the foresaid Jane Eustace and her heires, other then her or their restitution in blood and lineage, and for such things as be incident and appertayning to her, and their abilitie of blood only. And your said humble subject shall daily pray to God for your most excellent Majestie, in health and great prosperitie long to reigne over us.

THE

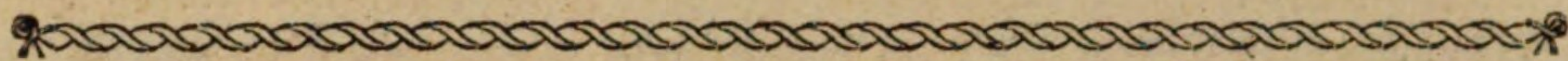


T H E

Eleventh, Twelfth, and Thirteenth Years

O F

J A M E S I.



Statuta, Ordin' Actus et Provisiones Ædit' In Quodam Parlamento Illustrissimi ac invictissimi Principis domini nostri *Jacobi* Dei gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Regis, fidei defensoris, &c. Virtute Commissionis & mandati dict' domini regis sub magno sigillo suo Angliæ apud Castrum *Dublin*, die Martis, viz. decimo octavo die Maij ann. regni dicti domini regis Angliæ, Franciæ, & Hibern' undecimo & Scotiæ quadragesimo sexto, coram predilecto & fidei consiliario suo *Arthur* domino *Chichester* de Belfast, Deputato suo generali regni sui Hiberniæ tento & ibm' contin' usq; ad decimum septimum diem Iunii tunc proxime sequent'. Et ibm' prorogat abinde usq; ad decimum quintum diem Iulij tunc proxime sequent'. Et ibm' prorogat' abinde usq; ad quintum diem Octobris tunc prox. sequent. Et ibm' prorogat' abinde usq; ad tertium diem Novemb. tunc prox. sequent. Et ibm' prorogat' abinde usq; ad tertium die Maij anno regni dicti domini regis Angl'. Franciæ & Hibern' duodec' & Scoti' quadragesimo septimo. Et ibm' prorogat' abinde usq; ad quart' diem Iulij tunc prox. seq. Et ibm' ulterius prorog. abinde usq;

ad undecimum diem Octob. tunc prox. seq. Et eod' undec' die Octob. ibm' tent' & cont' vsque ad vices. nonum diem Novemb. tunc prox. seq. Et ibm' eod. vices. nono die Novemb. prorog. abinde usq; ult. diem Januarij tunc prox. seq. Et ibm' eod. ultimo die Januar. ulterius prorog. abinde usq; ad decimum octavum diem April' anno regni dicti dom. regis Angl. Franciæ & Hiberniæ, tertio decimo, & Scotiæ quadrages. octavo. Et eod. decim' octavo die Aprilis ibm' tent. & continuat. usq; ad decimum sextum diem Maij tunc prox. sequent. Et ibm' prorogat. abinde usq; ad vicesimum quartum diem Octobris tunc prox. seq. Et eodem vicesimo quarto die Octobris dissolut. & determinat' ædita in hæc verba.

C H A P. I.

A most joyfull and just Recognition of his Majestie's lawfull, undoubted, and absolute Right and Title to the Crown of Ireland.

A. D.
1612.
Chap. I.
2 J. I. I.

Eng.
Miseries of
this kingdom,
contained in
the rolls of
former Parli-
aments, from
continual re-
bellions, &c.
Benefits of
his Majestie's
reign.

By suppress-
ing the late
rebellion, the
unreformed
parts of this
land reduced
to obedience.

The King
thereby gain-
ed a more in-
tire possession
of the whole
realm than his
predecessors.

THE rolls and records of former Parliaments holden in this kingdome (most dread and gracious Sovereigne) doe containe many grievous complaints of the miseries and calamities of this land and people, being subject for many ages together to continuall rebellions, rapines and oppressions; but now within these few yeares past, by the goodness of the Almighty God, and by your Majestie's gracious and happy government, so many blessings and benefits have been poured upon this realm, as we your Highness loyal subjects, assembled in this present Parliament, have more just cause to record our joy and comfort, then our predecessors ever had to expresse their grievances; for, as by the singular providence of God, even at this very time, when the crown of this realm descended unto your Majestie, the most dangerous and universal rebellion, that ever was raised in this kingdom, was quenched and appeased; in the suppressing whereof, the unreformed parts of this land, which being ruled onely by Irish lords and customs, had never before received the lawes and civill government of England, were so broken and reduced to obedience, as that all the inhabitants thereof did gladly submit themselves to your Highness ordinary lawes and magistrates, which gave unto your Majestie a more entire, absolute and actual possession of this whole realm, then ever any of your noble progenitors had before you; so hath your Majestie's princely wisdom ever sithence more and more established your throne and sove-
raignety

raignety in the hearts of this your people, by using all gracious demonstrations and means that might procure their peace and welfare; for first, by that general act of oblivion, which did bury and extinguish all offences against the crown, and all trespasses between subject and subject, committed before the beginning of your Majesty's reign; next, by the speciall charters of pardon freely granted to many thousands of your subjects, by particular names; then by remitting of many great arrears of rents and other debts and forfeitures, growing due to the crown, during the late general rebellion and before; and lastly, by strengthening of many defective titles, and accepting surrenders, and regranting estates unto many of the meere Irish and others, who could derive no other title to their lands, then a long continuance of possessions, your Majesty hath secured the lives, lands, and goods of the greatest part of your subjects, to their unspeakable comfort, whereupon hath ensued that universal peace and obedience, as the like thereof in any former age hath not beene seene in Ireland. And for the further establishment and continuance of this peace and security, your Majesty hath taken such speciall care for the administration of the publique justice, as that of your royall bounty, you have erected within the city of Dublin new and costly structures, for the holding of your high courts of law and justice, and to the great increase of your Highnesse charge, encreased the number of your judges upon every bench, who, according to your Majesty's direction, doe twice every year, derive the streams of your justice into all the parts of this kingdom. And whereas the Divine justice hath lately cast out of the province of Ulster, divers wicked and ungratefull traytors, who practised to interrupt those blessed courses, begun and continued by your Majesty, for the general good of this whole realm, by whose defection and attainder, great scopes of land in those parts have been reduced to your Majesty's hands and possession, your Majesty's gracious care hath been such, for the civill plantation of those escheated lands, as that you have not spared your own royal paynes in laying downe the project thereof, so as it is happily begune, and in good forwardnesse, with God's blessing, so to succeed and take effect, though with your Majesty's exceeding charges and expence of treasure, and diminution of your revenues, as that it shall reform and assure those countries which have beene heretofore the neasts of rebellion and barbarism, and by consequence settle the peace of the whole realm for many ages to come. In contemplation whereof, Wee, your Majesty's most humble and loyall subjects, the lords spirituall and temporal, and the commons in this present Parliament assembled, do, from the bottom of our hearts, yeeld to the Divine Majesty all humble thanks and praises, not onely for the said unspeakable and unestimable benefites before expressed,

A. D.
1612.
Chap. 1.

Several causes binding all subjects to the love and obedience of the King.

The general act of oblivion.

Special charters of pardon.

Remitting arrears of rents, debts and forfeitures.

Strengthening defective titles, accepting surrenders, regranting estates.

Care for the administration of justice by erecting new courts in Dublin.

The number of judges increased.

Care taken for the civil plantation of great scopes of land escheated in Ulster by attainder of traitors.

A. D.
1612.
Chap. I.

Recognition
of the King's
title.

The crown
descended to
him immedi-
ately upon the
death of Eli-
zabeth, as li-
neally de-
scended from
Margaret eld-
est sister of
King Henry
8.

but also for the assured hope we have conceived, that the same shall be made perpetuall unto us, by that most royall progenie of rare and excellent gifts and forwardnesse, wherewith Almighty God hath enriched your Highnesse, and in his goodnesse is like to encrease the number of them, and in most humble and lowly manner do beseech your most excellent Majestie, that as a memoriall to all posterities amongst the records of your high court of Parliament, for ever to endure of our thankfulnesse, loyaltie and obedience, it may be published and declared in this high court of Parliament, and enacted by authoritie of the same, that we being bound thereunto by the lawes of God and man, doe recognize and acknowledge, and thereby expresse our unspeakable joyes, That immediately upon the dissolution and decease of Elizabeth, late Queen of England, the crowne and kingdom of Ireland, and all titles, stiles, royalties, jurisdictions, prerogatives and rights thereunto belonging, did by inherent birth-right and lawfull and undoubted succession, intirely and absolutely descend and come to your most excellent Majestie, as being lineally, justly and lawfully next and sole heire of the blood royall of the Kings and Queens of England, Fraunce and Ireland, in that your most royall person is lineally rightfully and lawfully descended of the bodie of the most excellent Ladie Margaret, eldest daughter of the most renowned King Henry the seventh, and the high and noble Princeesse Queen Elizabeth his wife, eldest daughter of King Edward the fourth, the said Lady Margaret being eldest sister of King Henry the eighth, father of the high and mighty Princeesse of famous memorie, Elizabeth, late Queen of England, and that by the goodnesse of God Almighty, and lawfull right of descent under one imperiall crowne, your Majestie is of the realms of England, Scotland, Fraunce and Ireland, the most potent and mighty King, and by God's favour, more able to protect and governe us, your loving subjects, in all peace and plentie, then any of your most noble progenitors: and thereunto we most humbly and faithfully doe submit and oblige us, our heyres and posterities for ever, untill the last drop of our blood be spent, and doe beseech your Majestie to accept the same, as the first fruits in this high court of Parliament, of our loyalty and faith to your Majestie and your royall progenie and posteritie for ever; which if your Majestie shall be pleased, as an argument of your gracious acceptation, to ratifie with your royall assent, without which it can neyther be compleate and perfect, nor remaine to posteritie according to our humble desire, as a memorial of your princely affection towards us, we shall adde this also to the rest of your Majestie's unspeakable and unestimable benefits.

C H A P. II.

An Act for punishing of Pirats and Robbers on the Sea.

WHEREAS traytors, pirates, theeves, robbers, murderers, and confederators upon the sea, many times escape unpunished, because the triall of their offences hath heretofore been ordered, judged and determined before the admirall, or his lieutenant, or commissarie, after the course of the civill lawes; the nature whereof is, that before any judgment of death can be given against the offenders, either they must plainly confesse their offences, which they will never doe without torture or paines, or else their offences be so plainly and directly proved by witnesses indifferent, such as saw their offences committed, which can seldome be gotten but by chance, because such offenders commit their offences upon the sea, and many times murder and kill such persons, being in the shippe or boate where they commit their offences, which should witnesse against them in that behalfe; and also such as should beare witnesse be commonly marriners and shipmen, which because of their often voyages and passages on the seas, are uncertain to be found when their testimonies should be had and used in such cases; for reformation whereof, be it enacted by the King's most excellent Majestie, and by the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authority of the same, That all treasons, felonies, robberies, murders and confederacies hereafter to be committed in or upon the sea, or in any other haven, river, creek or place where the admiral or admirals have or pretend to have power, authority or jurisdiction, shall be inquired, tryed, heard, determined and judged in such shires and places in this realm, as shall be limited by the King's commission, or commissions, to be directed for the same, in like forme and condition, as if any such offence or offences had been committed or done in or upon the land, and such commissions shall be had under the King's great seal of this realm, directed to the admirall or admiralls, or to his or their lieutenant general, deputie, or deputies, and to three or four such other substantial persons as shall be nominated or appointed by the lord chancellor of Ireland, for the time being, from time to time, and as often as need shall require, to heare and determine such offences, after the course of the common lawes of this realm, used for treasons, felonies, robberies, murders and confederacies done and committed upon the land within this realm.

II. And be it further enacted by the authority aforesaid, That such persons to whom such commission or commissions shall be directed, or four of them at the least, shall have full power

A. D.
1612.

28 H. 8. 15.
Eng.

11 and 12
Wil. 3. 7. Eng.

4 G. 1. 11. Eng.

8 G. 1. 24. Eng.

18 G. 2. 30.
Eng.

Inconvenience of trial of piracy by course of the civill law, from the difficulty of proving the offences.

Trial of offences on the sea, or within the admiral's jurisdiction, by the King's commission as if done on land.

To whom such commission to be directed,

directed to admiralty judge by 23 & 24 G. 3 c. 14. s. 4.

by the lord chancellor.

Commissioners authority.

A. D.
1612.
Chap. 2.

Trial by
twelve men of
the shire limit-
ed in the
commission.

No chal-
lenge for the
hundred.

Punishment
of offenders.

Benefit of
clergy ex-
cluded.

Not to pre-
judice persons
taking victu-
als, &c. that
may be spar-
ed, compell-
ed by neces-
sity, so as
they pay the
value, or give
an obligation
payable in
four months,
if on this side
the straits of
Morocco; if
beyond, with-
in twelve.

and authority to enquire of such offences, and of every of them, by the oathes of twelve good and lawfull inhabitants in the shire limitted by their commission, in such like manner and forme, as if such offences had beene committed upon the land within the same shire; and that every indictment found and presented before such commissioners of any treason, felonies, robberies, murders, manslaughters, or such other offences committed or done in or upon the seas, or in or upon any haven, river or creek, as aforesaid, shall be good and effectual in the law; and if any person or persons happen to be indicted for any such offence done, or hereafter to bee done upon the seas, or in any other places above limitted, that then such order, proceffe, judgment and execution shall be used, had or done, and made to and against every such person and persons, so being indicted, as against traytors, felons and murderers for treason, felonie, robberie, murder, or other such offences done upon the land, as by the lawes of the realm is accustomed, and that the triall of such offence or offences, if it be denied by the offendour or offendours, shall be had by twelve lawfull men inhabiting in the shire limitted with such commission, which shall be directed as aforesaid, and no challenge or challenges to be had for the hundred; and such as shall be convict of any such offence or offences by verdict, confession or proceffe, by authority of any such commission, shall have and suffer such pains of death, losses of lands, goods and chattles, as if they had been attainted and convicted of any treason, felonies, robberies, or other the said offences done upon the land.

III. And be it further enacted by the authority aforesaid, That for treasons, robberies, felonies, murders and confederacies done upon the sea or seas, or in any place above rehearsed, the offenders shall not be admitted to have the benefit of his or their clergie, but be utterly excluded thereof and from the same, and also of and from the privilege of any sanctuary.

IV. Provided alway, that this act extend not to be prejudiciall or hurtfull to any person or persons for the taking any victualls, cables, ropes, anchors or sails, which any such person or persons, compelled by necessity, shall take of, or in any shippe which may conveniently spare the same; so as the same person or persons pay out of hand for the same victualls, cables, ropes, anchors, or sayles, money or money worth, to the value of the thing so taken, or doe deliver for the same a sufficient bill obligatorie to be payed in forme following, that is to say; if the taking of the same things be on this side of the streights of Morocco, then to be payed within foure moneths, and if it be beyond the streights of Morocco, then to be payed within twelve moneths next ensuing the making of such bills; and that the makers of such bills well and truely pay the same debt at the

the day to be limited within the said bills; any thing in this present act to the contrarie notwithstanding.

A. D.
1612.

C H A P. III.

An Act for the taking away of Clergie in certain Cases of Felonie, and for deliverie of Clerikes convict without Purgation.

FOR that many wicked and dissolute persons have been greatly emboldened without remorse to commit most wicked and felonious rapes and ravishments of women, maydes, wives, and damosels, and felonious burglaries, robberies, and stealths, presuming upon the benefit and allowance of their clergie for to escape the judgment and execution of the law; for the repressing of the said wicked rapes, burglaries, robberies, and stealths, be it enacted by the King's most excellent Majestie, and by the lords spirituall and temporall, and the commons in this present Parliament assembled, That if any person or persons shall at any time after the end of this present session of Parliament commit any felonious rape or ravishment of any mayde, wife, widow, or damosell, or any felonious burglary, or shall robbe any person or persons in their dwelling-house or place, the owner or dweller in the said house or place, his wife, children, or servants then being in or aboute the said dwelling house or place; or shall robbe any person or persons in any booth or tent in any faire or market, the owner, his wife, child, or servant then being within the same booth or tent; or shall robbe any person or persons in or neer any highway, path, or passage; or shall robbe any church or chappell; or shall steal any horse, gelding, mare, or garran; and being indicted or appealed of any of the said felonies, and thereupon found guilty by verdict of twelve men, or shall confesse the same upon his, her, or their arraignment, or will not answere directly, according to the lawes of this realm, or shall wilfully or of malice stand mute, or shall peremptorily challenge above the number of twentie jurors, or shall be outlawed upon the same indictment, shall receive judgement and suffer pains of death, without any allowance of the priviledge or benefit of clergie; any lawe, custome, or usage to the contrarie notwithstanding.

Offences committed from presumption of allowance of clergie.

Clergy taken away in rape, burglary, robbery in dwelling-house, tent, high-way, church or chappel, stealing horses.
9. Wil. 3. 6.
18 El. 7.
Sec. 1. Eng.
5 & 6 E. 6.
9 Sec. 4 &
5. Eng.
23 H. 8. 1.
Sec. 3 Eng.
1 E. 6. 12.
Sec. 10 Eng.
37 H. 8. 8.
Sec. 2. Eng.
2 & 3. E. 6.
33. Eng.
25 H. 8. 3.
Eng.

II. And be it further enacted by the authoritie aforesaid, That every person and persons, which at any time after the end of this present session of Parliament shall be admitted and allowed to have the benefit or priviledge of clergie, shall not thereupon be delivered to the ordinarie, as hath been accustomed; but after such clergie allowed, and burning in the hand, shall forthwith be enlarged and delivered out of prison by the justices or other magistrate, before whom such clergie shall be graunted, that cause notwithstanding; saving that the same justice or magistrate shall and may for the further correction of

After clergy allowed, and burning in the hand, the person not delivered to the ordinary, as usual, but enlarged,

18 Eliz. 7.
Eng Sec. 2.

A. D.

1612.

But the justices may at discretion detain him in prison not exceeding one year.

such persons, to whom clergie shall be allowed, detain and keepe them in prison for such convenient time, as the same justice or magistrate in their discretion shall think fit, so as the same doe not exceed one years imprisonment; any law, usage, or custom to the contrary notwithstanding.

C H A P. IV.

An Act for the Attaindor of Hugh, late Earl of Tyrone; Rory late Earle of Tyrconnell; Sir Cabir O Dogherty, knight, and others.

Earl of Tyrone, and others attainted.

IN most humble manner beseechen your most excellent Majesty, your most loyall, faithfull, and true hearted subjects, the lords spirituall and temporall, and the commons of this present Parliament assembled, That whereas Hugh, late earle of Tirone; Rory late earle of Tyreconnel; Hugh Oneyle, late Baron of Dungannon, and eldest sonne of the said earle of Tyrone; Henry Oneyle, second soone of the said earle of Tyrone; Sir Cahir Odogherty, late of Birtecastle in the county of Dunnegall, knight; Coconnaught Maguyre, late of Inniskilling in the county of Fermanagh, esquire; Oghy Oge Ohanlon, eldest sonne of Sir Oghy Ohanlon, knight, late of Tovergy in the county of Armagh, esquire; Caffer Odonnell, brother to the late earle of Tیرهconnell, late of Cafferconse in the said county of Dunnegall, esquire; Caffer Oge Odonnell, late of Starfolis in the said countie of Dunnegall, esquier; Donnell Oge Odonnell, late of Dunnegall in the said county of Dunnegall, esquire; Brian Oge Mac Mahowne, *alias* Brian ne Sawagh Mac Mahown, late of Clonleege in the Uppertrough, in the county of Monaghan, gentleman; Art Oge Mac Cormocke Oneyle, late of Clogher in the county of Tyrone, esquier; Henry Hovendon, late of Dungannon in the countie of Tyrone, gentleman; Mortogh Oquyn, late of the same, gentleman; Richard Weston, late of Dundalke in the countie of Lowth, merchant, John Bath, late of Donalonge in the countie of Tyrone, merchant; Christopher Pluncket, late of Dungannon in the said countie of Tyrone, gentleman, John Opanty Ohagan, late of the same, gentleman; John Rath, late of Drogheda, merchant; Hugh Mac Donell Ogallachor, late of Dunnegall in the said county of Dunnegall, gentleman; Terrelagh Garragh Ogallochor, late of the same, gentleman, Phelim Reagh Mac David, late of Eloagh in the said county of Dunnegall, gentleman, John Crone Mac David, late of the same, gentleman, Edmond Grome Mac David, late of the same, gentleman, Matthew Oge Omultully, late of Dunnegall in the said county of Dunnagall, gent. Donough Mac Mahowne Obrian, late of Rathumlin in the said county of Dunnegall, gentleman, Teige Okennan, late of the same, gentleman, Henry Ohagan, late of Dungannon in the said countie of Tyrone, gentleman, Teige Ohagan, late of the same, gent. and Teige Modder, Oquine, late of the same, gentleman, most falsely and traiterously, aswell by open rebellion

rebellion in divers partes of this your Majesties realm of Ireland, as by fundrie treacherous confederacies and conspiracies have committed, perpetrated and done many detestable and abominable treasons against your Majestie, tending to the utter subversion and ruine of the state and common-wealth of this kingdom ; of which treasons, the said Hugh, late earle of Tyrone, Rory, late earle of Tircconnell, Hugh Oneyle, late baron of Dungannan, Henry Oneyle, Coconnaught Maguire, Oghie Oge Ohanlon, Caffer Odonnell, Donell Oge Odonnell, Art Oge Mac Cormocke Oneyle, Henry Hovendon, Mortagh Oquine, Richard Weston, John Bath, Christopher Plunket, John Opanty Ohagan, Hugh Mac Donnell Ogallachor, Terrelagh Carragh Ogallachor, Phelim Reagh Mac David, John Crone Mac David, Edmond Crone Mac David, John Rath, Matthew Oge O Multully, Donogh Mac Mahown Obrian, Teige Okenan, Henry Ohagan, Teige Ohagan, and Teige Modder Oquin, have been indicted, and by proceffe of outlawrie attainted, according to the course of the common lawes of this realm ; and the said Sir Cahir Odogherty, and Brian ne Sawagh Mac Mahown, have been flaine, being in actual rebellion against your Majestie ; and whereas Sir Hugh Maguire, late of Iniskillin in the countie of Farmanagh, knight ; Sir John Oreilly, late of the Cavan in the county of Cavan, knight, Philippe Oreilly late of the same, esquier ; and Edmond Oreilly, late of the same, esquier ; being in open action of Rebellion against the late Queene Elizabeth, of famous memorie, the said Sir Hugh Maguire, Philip Oreilly, and Edmond Oreilly were flaine in their said action of rebellion, and the said Sir John Oreilly, adhering to the said traytour, late earle of Tyrone, died in rebellion against the said late Queen Elizabeth, as by fundrie inquisitions remayning of record, in your Highnesse court of chauncerie in this your realm of Ireland, doth and may appeare. It may please your most excellent Majestie, of your gracious disposition, which your Highnesse doth beare towards the settling of this unreformed kingdome, and aswell for the comfort of your true and loyall subjects, as for an example and terrour to all rebellious and trayterous persons, that all and every the attaindours of the persons above named, bee approved and confirmed by the authoritie of this present Parliament.

A. D.
1612.
Chap. 4.

Confirmation
of attainders.

II. And be it further enacted by the authoritie aforesaid, That aswell the said Hugh, late earl of Tyrone, Rory late earl of Tircconnell, Hugh Oneile, late baron of Dungannan, Henry Oneile, Coconnaugh Maguire, Oghie Oge Ohanlon, Caffer Odonell, Donell Odonnell, Art Oge Mac Cormocke Oneile, Henry Hovenden, Mortagh Oquine, Richard Weston, John Bath, Christopher Plunket, John Opanty Ohagan, Hugh Mac Donnell Ogallachor, Phelim Reagh Mac David, John Crone Mac David, Terrelagh Carragh Ogallachor, Edm. Crone Mac David, John Rath, Matthew Oge O Multully, Donogh Obrian Mac Mahown, Teige Okenan, Henry

1612.
Chap. 4. A. D. Ohagan, Teige Ohagan, and Teige Modder Oquin, as also the said Cahir Odogherty knight, Sir Hugh Maguire knight, Sir John Oreilly, Philipe Oreilly, Edmond Oreilly, and Brian ne Sawagh Mac Mahown, and every of them, stand and be adjudged persons convicted and attainted of high treason; and that as many of the said offenders, and persons before named, as be yet in life, and not pardoned for the same offences, shall and may at your Highness will and pleasure, suffer paines of death, as in cases of high treason; and that all and every the said offenders, by this present act attainted for their said treasons, shall be declared and adjudged to have lost and forfeited to your Highness, and to your heires and successours, from the time of their severall treasons committed, all and every such honours, territories, countries, castles, manors, messuages, lands, tenements, rents, reversions, remainders, possessions, rights, conditions, interests, offices, fees, annuities, and all other their hereditaments, goods, chattles, debts, and other things of whatsoever names, maners, or qualities they be, which they, or any of them, had to their or any of their uses, or which any other had to their or any of their uses, on any the days of their said severall treasons committed, perpetrated or done, or at any time sithence.

Not to prejudice grants or leases by the King, since said treasons under great seal of England or Ireland.

III. Provided always, and nevertheless, be it enacted by the authority aforesaid, That this act, or any thing therein contained, shall not in any wise extend to make voyd any graunt, gift, lease, or demise, made by our soveraign lord the King, of any of the said honors, countries, territories, castles, mannours, messuages, lands, tenements, or hereditaments, to any person or persons, by letters patents under the great seal of Ireland, or under the great seal of England, at any time or times sithence the said treasons committed; but that the same gifts, graunts, and leases, and every of them, shall stand and be of force and effect in the law, to all intents and purposes; any thing in this act contained to the contrary thereof notwithstanding.

Letters pat. to the Earl of Tyrone, &c. made void.

IV. Provided nevertheless, that this act shall not extend to ratifie, confirm, or make good any letters patents heretofore made to the said Hugh, late earl of Tyrone; Rory, late earl of Tyrconnell; Coconnaght Maguire, deceased, father of the said Coconnaght Maguire above mentioned; the said Sir Cahir Odogherty, knight, and the said Brian ne Sawagh Mac Mahown, or to either or any of them, or to any person or persons to whom any estate is limited in and by the said letters patents; but be it enacted by the authority of this present Parliament, That all letters patents heretofore made unto the said Hugh, late earl of Tyrone; Rory, late earl of Tyrconnell; Coconnaght Maguire, deceased, father of the said Coconnaght Maguire first above mentioned in this act; Sir Cahir Odogherty, and the said Brian ne Sawagh Mac Mahown, or to any or either of them; and all estates, gifts, or graunts in use, possession, reversion, or remainder, graunted, limited, or mentioned to be graunted or limited

limited to any person or persons whatsoever, in and by any letters patents made unto the said Hugh late earl of Tyrone, Rory late earl of Tyrconnell, Connaght Maguire the father, Sir Cahir Odogherty knight, and Brian ne Sawagh Mac Mahown, or any or either of them, be utterly repealed, and from henceforth deemed and adjudged void, to all intents, constructions and purposes; any thing in this present act contained to the contrary notwithstanding.

A. D.
1612.

C H A P. V.

An Act of Repeale of diverse Statutes concerning the Natives of this Kingdom of Ireland.

WHEREAS in former times, after the conquest of this realm by his Majestie's most royal progenitors, Kings of England, the natives of this realme of Irish blood, being descended of those that did inhabite and possesse this land before the said conquest, were for the most part in continuall hostility with the English, and with those that did descend of the English, and therefore the said Irish were held and accompted, and in divers statutes and records were termed and called Irish enemies: And whereas, in a Parliament holden at Dublin, in the tenth year of the raign of King Henry the sixt, an act was made, intituled, *An Act, that no person, liege nor alien, shall take merchandize or things to be sold, to faire, market or other place, amongst the Irish enemies, &c.* whereby it was enacted, "That no merchant nor other person, liege nor alien, should use, in time of peace nor warre, to any manner of faire, market, or other place amongst the Irish enemies, with merchandize or things to be sold, nor send them to them, if it were not to acquite any prisoner of them that were the King's liege men, and if any liege man did the contrary, he should be holden and adjudged a felon, and that it should be lawfull for every liege man to arrest and take such merchants and persons, with their merchandize and things, and to send them to the next gaole, there to remain until they should be delivered as law requireth, and the King to have one halfe of the said goods, and he or they that should take them the other halfe," as by the said act more at large appeareth.

The natives of Ireland, after conquest thereof, in continual hostility with the English.

The following statutes repealed.

10 H. 6. that none should take merchandise to be sold amongst Irish enemies.

II. And whereas also, at the same Parliament, another act was made, intituled, *An Act, that every liege man shall take the Irish conversant as espialls amongst the English, and make of them as of the King's enemies*; whereby it was enacted, "That it should be lawfull for every liege man, to take all manner of Irish enemies, which in time of peace and truce should come and converse amongst the English lieges, to spie their secrefies, force, wayes and subtilties, and to make of them as of the King's enemies," with divers

10 H. 6. that liege men shall take the Irish conversant as espialls amongst the English, and make of them as of the King's enemies.

A. D. 1612. savings and other clauses in the same act conteyned, as by the same act more fully and at large appeareth.

Chap. 5.

28 H. 8.
28. against
marrying or
fostering with
Irishmen.

III. And whereas also, at a Parliament begun at Dublin the first day of May, in the eight and twentieth year of the raigne of King Henry the eight, and afterwards holden and continued by diverse adjournments and prorogations, untill the thirtieth day of October, in the nine and twentieth year of the reign of the said King Henry the eight, an act was made, entituled, *An Act against marrying or fostering with or to Irishmen.*

11 Eliz. 6.
prohibiting
Irish lords to
foster to any
lords of the
same realm.

IV. And furthermore, whereas at a Parliament holden in the eleventh year of the reign of Queen Elizabeth, an act was made, entituled, *An Act prohibiting any Irish lord or captain of this realm, to foster to any of the lords of the same realm*, whereby it was enacted, "That no lord nor captain of the Irish of Ireland, should from henceforth foster to any earl, viscount, baron or lord of the same realm, and that what Irish lord or captain soever, that from thenceforth should receive or take to foster the child *mulier*, or bastard of any of the said earls, viscounts, barons, or lords, the same should be deemed and adjudged high treason in the taker, and also felony in the giver, according to the taxation and discretion of the lord deputie, governour, or governours, and councill of this realm for the time being," as by the same act appeareth.

Reasons of
said repeal.
The cause
of making
said stats.
ceasing.

All subjects
of this realm
taken into his
Majesty's pro-
tection with-
out distinc-
tion.

Liberty of
commerce
and marriage,
that they may
grow into one
nation.

V. Forasmuch as the cause of the said difference, and of making the said lawes and statutes, doth now cease, in that all the natives and inhabitants of this kingdome, without difference and distinction, are taken into his Majestie's gracious protection, and doe now live under one law as dutiful subjects of our Sovereigne Lord and Monarch, by means whereof, a perfect agreement is and ought to be settled betwixt all his Majestie's subjects in this realm. And for as much as there is no better means to settle peace and tranquillitie in this kingdome, being now inhabited with many worthy persons borne in his Majestie's said several kingdoms, then by abolishing and abrogating of the said several lawes, and by giving them free libertie to commerce and match together, that so they may grow into one nation, whereby they may be an utter oblivion and extinguishment of all former differences and discorde betwixt them: Be it enacted by the King's most excellent Majestie, the lords spirituall and temporall, and commons in this present Parliament assembled, and by the authority of the same, That all the said acts and statutes, and every clause and sentence in them and every of them conteyned, shall, from the end of this present session of Parliament, for ever be utterly and thoroughly repealed, frustrated, adnihilated, and made void to all intents and purposes.

An Act for Repeale of one Statute made against bringing in of Scotts, retayning of them, and marrying with them.

WHEREAS by an act of Parliament, made in the third and fourth years of the reigns of the late King Philip and Queen Mary, entituled, *An Act against bringing in of Scotts, retaining of them, and marrying with them*, it is ordeyned, "That if any person or persons, at any time after the end of that Parliament, do procure the comming of Scotts, being men of warr, into this realm of Ireland, or do bring into this realm any Scotts being men of warr, or do give any Scot or Scotts, being within this realm, and men of warr, any wages, bonaghts, foreive, or any other intertainment, or hyre for service in war, that every such offence and offences shall be adjudged high treason, and the offender or offenders therein, their procurers, abbettors and counsaylors, and every of them, being thereof convicted or attainted, according to the lawes and statutes of this realm, shall be deemed and adjudged high traytors, and that if any person or persons, born within this realm of Ireland, doe, without the licence of the lord deputie of this realm, sealed with the great seal of this realm, contract matrimonie, or marrie with any Scottishman, woman, or maiden, that then every such offence or offences shall be deemed and adjudged felonie, and the offender or offenders therein, their abbettors, procurers and counsaylors, being thereof convicted and attainted, according to the laws and statutes of this realm, shall be deemed and adjudged felons," as by the said act more at large appeareth. Forasmuch as the cause of the makeing of the said act is utterly taken away by the happy uniting of the kingdoms of England, Scotland and Ireland under one imperiall crown. Be it enacted by the authority of this present Parliament, That the said act against bringing in of Scotts, retaining of them, and marrying with them, and all and every branch, clause and article therein contained, be repealed and made utterly voyde and of none effect, to all intents and purposes.

Repeal of
stat. 3 and 4
P. & M. 15.
against bring-
ing in, retain-
ing of, or
marrying with
Scotts.

The cause
of making the
same ceasing,
from the uni-
on of the
three king-
doms.

A. D.

1612.

C H A P. VII.

An Act for repaying and amending of High-ways and Cashes, and cutting or clearing of Paces.

2 and 3 P.
& M. 8. Eng.
4 Anne 6.
9 Anne 9.
1 G. 2. 13.
13 G. 2. 10.
33 G. 2. 8.
For repair
of highways,
chusing sur-
veyors.

who shall
act on pain
of 10l.
Notice of
days for la-
bour.

Parishieners
chargeable
thereto,

Rates.

FORASMUCH as the high-ways and cashes, and paces and passages throughout the woods of this kingdom, are in many places both very noysom and tedious to travel in, and dangerous to all passengers and carriages: Be it enacted by the authority of this present Parliament, That constables and church-wardens of every parish within this realm, shall yearly, upon the Tuesday and Wednesday in Easter week, call together a number of the parishioners, and shall then elect and chuse two honest persons of the parish, to be surveyors and orderers of the works for the amendment of the high ways, cashes, and paces in their parish, leading to any market town, the which persons shall have authority by vertue of this act, to order and direct the persons and carriages that shall be appointed for those works by their discretions, and the said persons so named, shall take upon them the execution of their said offices, upon pain every of them making default to forfeit tenn pounds; and the said constables and church-wardens shall also then name and appoint six days for the amendment and clearing of the said high wayes, cashes and paces in the said severall parishes before the feast of Saint John Baptist then next following, and shall openly in the church the next Sunday after Easter, give notice of the same six days, and upon the said days the parishioners shall endeavour themselves to the amendment and cleering of the said wayes, cashes and paces, and shall be chargeable thereunto as followeth, that is to say, all and every person or persons for every plow land in tillage or pasture, that hee, shee, or they shall occupie in the same parish, and all and every other person or persons keeping therein a draught or plow, shall finde and send at every day and place to be appointed for the amendment of the high ways in that parish, as is aforesaid, one wayne or cart, furnished after the custom of the country with oxen, horses, or other cattell, and all other necessaries meet to carry things convenient for that purpose, and also two able men with the same, upon pain of every draught making default, twentie shillings; and at every day and place to be appointed for the mending of the cashes and clearing of the said paces, two able persons furnished with necessarie tools for that purpose, upon paine of every default tenne shillings; and every householder, and every cottier and labourer of that parish able to laboure, and being noe hired servant by the yeare, shall by themselves, or one sufficient labourer for every of them, upon every

every of the said six daies worke and travell in the amendment of the said highwayes, cashes or paces, upon paine of every person making default to lose for everie day two shillings. And if the carriages of the parish or any of them shall not be thought needful by the supervisors, to be occupied upon any of the said dayes for the amendment of the said high wayes, that then every such person that should have sent any such carriage, shall send to the said worke for every carriage so spared two able men, there to labour for that day, upon paine to lose for every man not so sent to the said worke, two shillings; and every person and carriage abovesaid, shall bring with them such shovels, spades, pickaxes, mattockes, axes and other tooles and instruments as shall be necessarie for the said worke; and all and every the said persons and carriages shall doe, and keepe their worke as they shall be appointed by the said supervisors or one of them eight hours of every the said dayes, unless they shall be otherwise licenced by the supervisors or one of them.

II. And be it further enacted by the authoritie aforesaid, That from henceforth it shall and may be lawfull to all and singular supervisor and supervisors and orderers of the said worke for the time being for the amendment of the said highwayes and cashes, thereunto elected and appointed as aforesaid, for the better repaying and amendment of the highways and making of cashes in their severall parishes and limittes where they shall be so made supervisors, if it shall so to them be thought necessarie, to take and carrie away of the rublish or small broken stones of any quarrie or quarries, and to cut and carry away any underwoode, growing, lying or being within the parish where they shall be supervisors, without licence, controlment or impeachment of the owners or owner, so much as by their discretion shall be deemed and adjudged necessary to the amendment of the sayd waies and cashes, the owners of the said under woods notwithstanding to be payed for the same by the parishes as the same shall be valued by the said supervisors, and that for default of any quarry or quarries not being within their said parish or limits, or in default of rublish not to be found in any such quarry or quarries, it shall and may be lawfull to any such supervisors or supervisor, for the use aforesaid, in the severall groundes of any person or persons being within the parish and limittes where they shall be supervisors, and nigh adjoyning to the way or waies wherein such reparations shall be thought necessary to be made, where gravel sand or finders is likely to be found, to digge or cause to be digged for gravel, sand, or unders, and likewise to gather stones lying upon any lands or grounds within the parish, and meete to be used to such services and purposes, and thereof to take and carry away so much as, by the

A. D.

1612.

Chap. 7.

send a labourer, on pain of 2s.

if carriages not necessary, two men in their room, on pain of 2s. each.

necessary tools to be brought, to work eight hours each day.

Supervisors may take rublish out of quarries, or underwood, the parish paying the owners.

5 Eliz. 13. Eng.

If no quarry in the parish, or rublish, they may dig in ground near the ways for gravel or sand

A. D. discretion of the said supervisors shall be thought necessary to be applied in the amendment of the said highwaies.

1612.
Chap. 7.

But not to dig rubbish out of any quarry.

nor for sand or gravel in a house, garden, orchard or meadow,

nor more than one pit in any inclosure, and that not above ten yards any way, and to be stopped up in one month, on pain of 5l. to owner of the soil.

III. Provided alwayes, That it shall not bee lawfull to any such supervisor or supervisors, by vertue of this act, to cause any rubbish to be digged out of any quarry or quarries, but onely shall extend to such rubbish as shall be found there ready digged by the owner or owners of the said quarry or quarries or otherwise by his or their licence and commandement, nor shall not extend to give authoritie

to any supervisor or supervisors to digge or cause to be digged any gravel, sand, or finder in the house, garden, orchard or meadow of any person or persons, nor that it shall be lawfull by this act to any such supervisor or supervisors, to cause any more pits to be digged for gravel in any severall or inclosed ground, then one onely, and that the same pit or hole so digged for gravel as aforesaid, shall not bee in any way or breadth and length above ten yards at the most, and every such supervisor as shall cause any such pit to bee made and digged for gravel sand or finder as aforesaid, shall within one moneth next after any such digging or pit made, cause the same to bee filled and stopped up with earth at the costes and charges of the parishioners, upon paine to forfeit to the owner or owners of the soile where any such pit shall be made and digged, for every default five pounds, to be recovered by action of debt, as in other like cases of debt have been accustomed.

May make cashes of bogges, and turn water into ditches of adjoining grounds.

IV. And forasmuch as the highways in sundry places of this realm are full of bogges continuall springs or water courses, by continual increase and sinking whereof into the ground, the said wayes are not onely verie deepe and dangerous, but also for the most part impossible to be amended and repaired in any good and sufficient manner, without some remedie provided for the same; bee it enacted therefore, That from henceforth every such supervisor or supervisors, shall by force of this act, within the parish or limittes where he or they shall be supervisors, have full power and authoritie to make cashes of such bogges, and to turn any such course or spring of water being in any of the said highwayes, into any ditch or ditches of the severall ground or soyle of any person or persons whatsoever, next adjoining to the said wayes, in such manner and forme, as by the discretions of the said supervisors shall be thought meetest and most convenient.

Fences and ditches adjoining, shall be kept scoured and cut by owners of the soil, on pain of 20l.

V. And be it further enacted by the authoritie aforesaid, That the hayes, fences, ditches, or hedges next adjoining on either side to any high or common or fairing way, shall from time to time be ditched, scoured, repaired and kept low, and all trees and bushes growing in the highwayes or paces, cut downe by the owner or owners of the ground or soyle which shall be inclosed with the said hayes, fences, ditches or hedges aforesaid, whereby the said wayes may be open and the people have more ready and easie passage in

the

the same, upon paine that all and every person or persons makeing default therein shall forfeit and loose twentie pounds.

VI. And be it further enacted by the authority aforesaid, That all and every person or persons that hereafter shall occupie or plow land in tillage or pasture, lying or being in severall parishes, shall be chargeable to the making of the highwayes and cashes, and cutting or cleering of paces within the parishes where he dwelleth, as farre forth and in such manner and forme, as any person having a plowland in any parish ought to be chargeable by this act as aforesaid; and that everie person or persons occupying or keeping in his or their hand or possession severall or divers plowlands as aforesaid, in severall or divers parishes, shall be charged to find in each parish, where the plowlands being in his occupying doe lie, one cart, wayne, tumbrell, dung-pott or courtslad, carrs or dregs furnished, and two men and other things as before, for the amendment and repairing of the highwayes, making of cashes and clearing of paces within the severall parishes where the said plowlands doe lie, in such manner and forme as if he or they were a parishioner, dwelling within the parishes where the same severall plowlands doe lye.

VII. And for the better keeping of the highwayes passable for his Majesties subjects; be it enacted by the authority aforesaid, That no person or persons having any ground by lease or otherwise, adjoyning to any highway or common fayring way, leading to any market towne, shall cast or scoure any ditch, and throw and lay the soyle thereof into the highway, and suffer it to lye there by the space of six moneths, to the annoyance of the said highway, or common fayring way, upon payne of forfeiture for every load of soyle so cast into the highway or common fayring way, in ditching or scouring twelve pence; and where any heretofore have been so cast into the highwayes or common spring way, that there is a banke between the said way and ditch, that it shall be lawfull for the supervisors and workmen, appointed for the amendment of the said highwayes, to make sluices or other devises, by their discretions, to convey the water out of the said way into the ditch; any law, right, interest, custom, or usage notwithstanding.

VIII. And be it further enacted by the authoritie aforesaid, That all and every justices of affize, justices of oyer and terminer, and justices of the peace in their sessions, and stewards of leetes and law dayes, in their leettes and law dayes, shall enquire of, and heare and determine all and every offence, matter and cause, that shall grow, come or arise by reason of this statute, and to assess such reasonable fines and americiaments for the same as by them shall be thought meet; and that all and every penaltie, summe or summs of money forfeited, or to be imposed for any cause within this statute, shall be levied in every parish by the surveyors of the wayes within that parish, for the time being, by distresse and sale of distresses, in manner and

A. D.

1612.

Chap. 7.

18 Eliz. 10.

Eng.

A person occupying a plowland in severall parishes, chargeable only where he dwells.

Several plowlands in severall parishes, chargeable in each.

Persons scouring ditches, and casting the soil in the highway, and suffering it to lye six months, penalty 12d. per load.

Supervisors to make sluices to convey water into the ditch.

Who may determine offences against this act.

And assess fines.

To be levied by distresse and sale.

A. D. 1612. forme as fines and amerciaments in leetes have been used, and the money so levied, to be employed upon the high-way, or common fayring way where the offence was committed, within one yeare; and the said surveyors shall at least once every yeare, at the quarter sessions to be holden for the said countie, make a true accompt before the justices of the peace there, or any two of them, whereof one to be of the *quorum*, and shall make payment of all such summes of money to the surveyors, to be appointed for the yeare next following, as he or they shall have collected upon the estreats thereof to be made unto them, upon paine to forfeit for every time he shall not so doe, forty shillings *sterl.* and to be committed untill they make paiment thereof, and the clerke of the crowne or of the peace, and the steward of every leete shall make estreats indented, of all the fines, forfeitures, and amerciaments upon the sayd defaultes, and shall deliver the one part thereof to the surveyors of every parish, where the said offence was committed, yearly within six weekes after the feast of Saint Michael the archangell, and the said surveyors upon their accompt shall have allowed for every pound he shall collect and pay, eight pence for his own paynes, and xii. d. English for the fees of the clerke of the crowne, clerke of the peace, or steward of the leet for the estreats indented of every severall parish, that they shall deliver as is aforesaid.

And employed on the highways within one year.

Surveyors to account once every year at quarter sessions,

And pay to their successors on pain of 40s. and commitment.

Clerk of the crown, &c. to make estreats, and deliver one part to surveyors in six weeks after Michaelmas.

Surveyors allowed 8d. per pound,

Fees of clerk of crown, &c. 12d. English.

C H A P. VIII.

An Act for the avoyding of privie and secret Outlawries of his Majesties Subjects in personall Actions.

31 Eliz. 3. Eng.

6 Anne 15.

Outlawries in actions personal in foreign counties, thro' malice.

Of which defendants never had knowledge or monition.

Remedy.

WHEREAS before this time, divers of his Majesties subjects of this his Highnesse realm of Ireland, have been grievously troubled and dampnified by reason of outlawries had against them, in sundry actions personall in forein counties, at the suit of divers persons, who many times have attempted such actions personall more for malice then for any just cause of action they have against the parties defendants, named in the same, and sometimes their attourney, of purpose for lucre of fees, have layed the said actions in foreine counties, and of which outlawries so had in foreine counties, the parties defendants, named in such foreine actions, had never knowledge nor monition, untill such time as the outlawries were had against them and certified, and some of them never came within the countie where such actions were against them sued, nor never were dwelling nor conversant within the said countie; yet neverthelesse the parties so outlawed in foreine counties, have thereby been much molested and troubled to their great charge, and lost their goods and substance to their utter undoing. Wherefore for avoyding of such outlawries upon such suits hereafter to be sued,

sued, the King our Sovereign Lord, graciously intending the peace and good of his said subjects, and that indifferent justice should be administred unto every person, and that every person should have lawfull knowledge and monition of such actions, as hereafter be to be attempted and sued against him in any of the King's courts, have by the assent of the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, ordeyned, established and enacted; and be it enacted, That from and after the end of the term next ensuing the end of this present session of Parliament, in every action personall, wherein any writ of exigent shall be awarded out of any court, one writ of proclamation shall be awarded and made out of the same court, having day of *teste* and retourne as the said writ of exigent shall have, directed and delivered of record unto the sheriffe of the countie where the defendant, at the time of the exigent so awarded, shall be dwelling, which writ of proclamation shall conteyne the effect of the same action, and that the sheriffe of the countie, unto whom any such writ of proclamation shall be directed, shall make three proclamations in this forme following, and not otherwise, that is to say, one of the said proclamations in the open court, and another of the same proclamations to be made at the generall quarter sessions of the peace in those parts, where the partie defendant, at the time of the exigent awarded, shall be dwelling; and one other of the said proclamations, to be made one month at the least before the *quintus exactus*, by vertue of the said writ of exigent, at or neer to the most usuall doore of the church or chappell, or in case there be no church or chappell, in the church-yard of that towne or parish where the defendant shall be dwelling at the time of the said exigent so awarded; and if the defendant shall be dwelling out of any parish, then in such place as aforesaid, of the parish in the said countie, and next adjoyning to the place of the defendant's dwelling, and upon a Sunday; and that all outlawries had and pronounced after the end of the term next ensuing the end of this present session of Parliament; and no writ of proclamations awarded and returned according to the forme of this statute, shall be utterly voyd and of none effect; and that the officer in whose office the said writs of exigents and proclamations shall be made, shall take no more for the making of any such writs or proclamations, or the entring of the same of record, but fixe pence sterling; and that the sheriffe for makeing of the said proclamation at or neere to the church or chappel door as aforesaid, shall have twelve pence sterling and no more.

II. And be it further enacted by the authority aforesaid, That before the allowance of any writ of error, or reversing of any outlawrie be had by plea or otherwise, through or for want of any proclamation to be had or made, according to the forme of this statute, after the end of this present session of Parliament, the de-

A. D.
1612.
Chap. 7.
Where exigent awarded.

Teste and return.

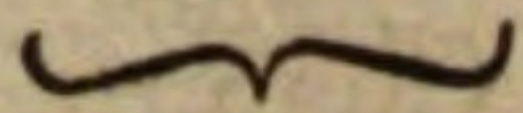
Proclamations.

Officer's fees, 6d.

Before writ of error allowed, defendant must give bail to appear, &c.

A. D.

1612.



fendant, and defendants in the originall actions shall put in good and sufficient bayle, not onely to appeare and answere to the plaintants in the former suits, in a new action to be commenced by the said plaintiffe in the cause mentioned in the first action, but also to satisfie the condemnation, if the plaintife shall begin his suite within two termes next after the allowing of the writ of errour, or otherwise avoyding of the said outlawries.

Penalty 4cs.
upon attorney
not issuing the
proclamation,

half to the
party grieved,

half to the
poor.

III. And it is further enacted by the authority aforesaid, That if any attorney or attorneys, shall issue and make forth any writ or writs of exigent, after the end of the term next ensuing the end of this present session of Parliament, without making and issuing one writ of proclamation in manner aforesaid, together with the said writ of exigent, shall forfeit and lose fortie shillings sterling for every such writ of exigent so issued, without one such other writ of proclamation; the one moyetie of the said forfeiture to be to the partie grieved that will sue for the same, by bill or playnt in the same court out of which such writ of exigent shall issue, and the other moyetie to the poor, to be distributed and disposed of by the discretion of the judges of the same court.

C H A P. IX.

An Act for the King's Majestie's most gracious, general and free Pardon.

The causes
and ends of
this pardon.

The gene-
ral pardon.

THE King's Majestie most graciously considering the good will and faithfull hearts of his most loving subjects, which as at all times, so at this present especially, they having with most dutifull affection shewed towards his Highnesse; and understanding that the same his loving subjects have many and sundry wayes, by the lawes and statutes of this realme, fallen into the danger of diverse great penalties and forfeitures, is of his princely and merciful disposition, most graciously inclined by his liberall and free pardon to discharge some part of those great paynes, forfeitures and penalties, wherewith his said subjects stand now burdened and charged, trusting they will be thereby the rather moved and induced from henceforth more carefully to observe his Highnesse lawes and statutes, and to continue in their loyal and due obedience to his Majestie: and therefore his Majestie is well pleased and contented, that it be enacted by the authority of this present Parliament, in manner and form following, (that is to say) That all and every the said subjects, aswell spirituall as temporal, of this his Highnesse realm of Ireland, the heyres, successours, executors and administrators of them, and every of them, and all and singular bodies corporate, cities, boroughes, shires, hundreds, baronies, townes, villages, hamlets, and tythings, and every of them, and the successor and successors of every of them, shall

shall be by the authoritie of this present parliament acquitted, pardoned and released, and discharged against the King's Majestie, his heires and successors, and every of them, of all manner of treasons, felonies, offences, contempts, trespasses, entrees, wrongs, deceits, misdemeanors, forfeitures, penalties, and summes of money, paynes of death, paynes corporall and pecuniarie, and generally of all other things, causes, quarrels, suites, judgements and executions, in this present act hereafter not excepted nor foreprised, which may be, or can be by his Highnesse in any wise, or by any meanes pardoned before, and unto the first day of this session of Parliament, to every or any of his said subjects, bodies corporate, cities, boroughs, shires, baronies, hundreds, townes, villages and tythings, or any of them. And also the King's Majestie is contented that it be enacted by the authoritie of this present Parliament, That his free pardon shall be as good and effectuell in the law to every of his said subjects, bodies corporate, and others before rehearsed, in, for, or against all things which be not hereafter in this present act excepted and foreprised, as the same pardon should have bin, if all offences, contempts, forfeitures, causes, matters, suites, quarrels, judgments, executions, penalties, and all other things not hereafter in this present act excepted and foreprised, had bin particularly, singularly, specially and plainly named, rehearsed, and specified, and also pardoned by proper and expresse words and names, in their kindes, natures and qualities, by words and termes thereunto requisite to have been put in, and expressed in this present act of free pardon. And that his said subjects, nor any of them, nor their executors or administrators of any of them, nor the said bodies corporate, and other before named and rehearsed, nor any of them be, nor shall be sued, vexed or inquieted in their bodies, goods, chattels, lands, or tenements, for any manner of matter, cause, contempts, misdemeanors, forfeitures, trespassse, offence, or any other thing suffered, done, or committed before the said first day of this present session of Parliament, against his Highnesse, his crowne, dignitie, prerogative, lawes or statutes, but only for such matters, causes, and offences as be rehearsed, mentioned, or in some wise touched in the exceptions of this present act, hereafter mentioned to be foreprised and excepted, and for none other: any statute or statutes, lawes, customes, or usages, heretofore had, made or used, to the contrary in any wise notwithstanding. And the King's Highnesse, of his bounteous liberality, by the authority of this present Parliament, graunteth and freely giveth to every of his said subjects, and to every of the said bodies corporate, and other before rehearsed, and every of them, all goods, chattels, debts, fines, issues, profites, amerciaments, forfeitures, and summes of money, by any of them forfeited, which to his Highnesse doe or should belong or appertaine, by reason of any offence, contempt, trespassse, misdemeanor, entry, matter, cause, or quarrel, done or committed by them, or any of them, before the said first day of this

A. D.
1612.
Chap. 9.

All things
not excepted
pardoned, as
if particularly
named.

A. D. present session of Parliament, which be not hereafter in this present
1612. act foreprised and excepted.

Chap. 9.

This act
may be
pleaded.

Paying only
16d. to the
clerk entering
such plea.

To be ex-
pounded in all
courts most
beneficially
for the sub-
ject.

Penalty
upon any of-
ficer making
out writs, or
disturbing
persons par-
doned.

II. And be it enacted neverthelesse, that all grants thereof made by any such as have so forfeited the same, and are hereby restored as aforesaid, and all executions thereof, or of any part thereof had against any such, after such forfeiture thereof had, committed or made, shall be of such force and effect, as if no such forfeiture thereof had beene had or made, and of no other: the same forfeiture, or any thing before in this act to the contrary notwithstanding.

And that all and every the King's said subjects, and all and singular bodies corporate and others before rehearsed, may by him or themselves, or by his or their deputy or deputies, or by his or their attorney or attourneys, according to the lawes of this realme, pleade and minister this present act of free pardon for his or their discharge, of and for any thing that is by virtue of this present act pardoned, discharged, given or graunted, without any fee or other thing in any wise, paying to any person or persons for writing or entry of the judgements, or other cause concerning such plea, writing or entry, but onely sixteen pence to be paid to the officer or clerke that shall enter such plea, matter or judgment, for the parties discharged in that behalfe: any law, statute, usage or custome, to the contrary notwithstanding.

III. And furthermore the King's Highnesse is contented and pleased, that it be enacted by the authority of this present Parliament, that his said free pardon, by the generall wordes, clauses and sentences before rehearsed, shall be reputed, deemed and adjudged, expounded, allowed, and taken in all manner of courts of his Highnesse, and elsewhere, most beneficiall and available to all and singular his said subjects, bodies corporate, and others before rehearsed, and to every of them in all things not in this present act excepted or foreprised, without any ambiguity, question, or other delay whatsoever, that shall be to be made, pleaded, objected, or alledged by the King our soveraigne Lord, his heyres or successours, or by his, or any of their generall attorney or attourneys, or by any person or persons, for his Highnesse, or any of his heyres or successours.

IV. And furthermore it is enacted by the King our soveraigne Lord, by the authority of this present Parliament, That if any officer or clearke of any his Highnesse courtes, commonly called the chauncery, King's bench and common place, or of his exchequer, or any other officer or clearke of any other his Highnesse courtes within this realme, at any time after the last day of this present session of Parliament, make out, or write out any manner of writs, proceffe, summons, or other precepts, whereby any of the said subjects, or any of the said bodies corporate, or others before rehearsed, or any of them, shall be in any wise arrested, attached, distrained, summoned, or otherwise vexed, inquieted or grieved, in his or their
bodies

bodies, lands, tenements, goods or chattels, or in any of them, for or because of any manner or thing pardoned or discharged by virtue of this act of free pardon; or if any sherife or escheator, or any of their deputy or deputies, or any bayliffe or other officer whatsoever, by colour of his or their office or otherwise, after the said last day of this present session of Parliament, doe levye, receive, take or withhold, of or from any person or persons, any thing pardoned or discharged by this act, that then every such person so offending, and thereof lawfully convicted or condemned by any sufficient testimony, witnesse or prooffe, shall yeeld and pay for recompence thereof, to the party so grieved or offended thereby, his or their treble damages, besides all costes of the suite, and shall also forfeite and loose to the King's Majestie, for every such default ten poundes; and neverthelesse all and singular such writs, proceffe and precepts so to be made for, or upon any manner of thing pardoned or discharged by this present act of free pardon, shall be utterly void and of none effect. Except and alwayes foreprised out of this generall and free pardon, all and all manner of high treasons, and other offences committed or done by any person or persons, against the King's most royal person, and all conspiracies and confederacies trayterously had, committed, or done by any person or persons against the King's Majesties royal person, and all, and all manner of levying of warre, and all rebellions and insurrections whatsoever had, made, or committed, or done, at any time sithence the beginning of his Majesties raigne; and also excepted all and every manner of treasons committed or done by any person or persons, in the parts beyond the seas, or in any other place out of the King's dominions, sithence the beginning of his Majesties raigne; and also all suites, punishments, executions, paynes of death, forfeitures and penalties, for, or by reason or occasion of any the treasons and offences before rehearsed. And also excepted out of this pardon, all offences of forging and false counterfeyting the King's Majesty his great or privy seal, signe manuall, or privy signet, or of any the monies currant within this realm, and also all offences of unlawfull diminishing of any the said monies, by any wayes or meanes whatsoever, contrary to the lawes and statutes of this realm, at any time sithence the beginning of his Majesties raigne; and also all misprisions and concealments of any the high treasons afore said, and also all abetting, ayding, comforting, or procuring of the same offences, or any of the said treasons committed or done sithence the beginning of his Majesties raigne. And also excepted out of this pardon, all manner of voluntary murders, petit treasons, and wilfull poysonings done or committed by any person or persons sithence the beginning of his Majesties raigne; and all and every the accessaries to the said offences or any of them, before the said offences committed. And also excepted and foreprised out of this generall pardon, all and every offences of pyracie, and robbery done upon the seas sithence the beginning of his Majesties raigne. And also excepted out of this

A. D.
1612.
Chap. 9.

Treble damages, besides costs.
and 10l. to the King.

Offences excepted.

High treason and other offences against the King's person.

Rebellions, &c. since beginning of his reign.

Counterfeiting the great or privy seal, &c. or current money, or diminishing the same.

Misprision of high treasons afore said. Aiders and abettors.

Voluntary murders, poisonings, petit treasons,

piracy.

A. D. 1612. Chap. 9. *burglaries, robberies,* pardon, all burglaries, committed or done in any dwelling house or houses, and all accessaries to any the said burglaries, before the said burglary committed, within one year before the beginning of this present session of Parliament. And also excepted, all robberies done upon or to any mans or womans person in the high way, or elsewhere, and all and singularly accessaries of, or to any such robberies before the said robberies committed, within one year before the first day of this present session of Parliament. And also excepted, the felonious stealing of any horse, gelding, garran, or mare, and all accessaries thereunto before the same felony committed, and all judgments and executions of and for the same, within one yeare next before the beginning of this present session of Parliament: and also all wilful burnings of any dwelling house or houses, or any barne or barnes, wherein any corne was, committed or done at any time sithence the beginning of his Majesties raigne. And also excepted, all rapes and carnal ravishments of women, and also ravishmentes and wilful taking away, or marrying any mayde, widdowe or damosel, against her will, or without the assent or agreement of her parents, or of such as then had her in custodie, committed or done within one yeare before the beginning of this present session of Parliament. And also all offences of ayding, comforting, procuring or abetting of any such ravishment, wilful taking or marrying, had, committed or done. And also excepted out of this pardon, all persons now attainted or outlawed of or for any treason, petit treason, murder, wilfull poysoning, burglary or robbery, and all executions of, and for the same. And also excepted, all offences of invocations, conjurations, witchcraftes, forceries, inchantmentes and charmes, and all offences of procuring, abetting or comforting of the same; and all persons now attainted and convicted of any the said offences, at any time sithence the beginning of his Majesties raigne. And also excepted, all and every manner of taking from the King's Majesty of any the goods or chattels, or the issues, rents, revenues, or profites of any mannors, landes, tenementes and hereditaments, which were of any traytor, murderer, felon, clerke or clerkes, attainted, or fugitives, or any of them. And also excepted, all goods and chattels in any wise forfeited to the King's Majesty, by reason of any treason, petit treason, murder or felony, heretofore committed or done. And also excepted, all offences of or in making, writing, printing, or publishing, or in consenting to the making, writing, printing, or publishing of any false, seditious, or slanderous booke or bookes, libell or libells, in any wise, against the King's Majesty, or the present government of this realm, in cases either ecclesiasticall or temporall, or against any person or persons whatsoever. And also excepted out of this pardon, all intrusions had, or made, or done, by any person or persons, in or upon any of the mannours, lands, tenementes, or other hereditamentes of our said soveraigne lord the King, and all wastes done, committed or suffered upon any such

stealing horses,

wilfull burnings.

Rapes, taking and marrying women against consent.

Persons now attainted or outlawed for treason, &c.

Witchcraft.

Taking from the King goods or revenues of traitors, &c.

Making seditious books or libels.

Intrusions upon wastes, and wrongful taking the profits of King's lands.

landes,

landes, tenements, or hereditaments, and the wrongfull taking of any the rents, issues, and profits of the same mannours, lands, tenements, or hereditaments of our said soveraign lord the King at any time sithence the beginning of his Majesties reign; and also all suits, accompts, and impetitions, of and for the same: and also excepted out of this pardon all alienations of any lands, tenements, or hereditaments, without licence, and all fines, issues, and profits, that may or ought to grow or come to the King's Majesty by reason of any such alienations without licence at any time sithence the beginning of his Majesties reign. And also excepted out of this pardon all wastes committed or done in any of the King's wards lands, or in the wards lands of any of the King's committees; and also all and every fine and fines for the single and double value of the marriage or marriages of all and every ward or wards, at any time heretofore growen to the King's Majesty, sithence the beginning of his Majesties raigne: and also excepted concealed wards, and the lands of such wards concealed, and all liveries and primer seifins, and ousterlemains, that ought to be had, done, or sued for the same sithence the beginning of his Majesties reign: and also excepted out of this general pardon all ravishments, and wrongfull taking or withholding of any the King's ward or wards lands, or the rents and profits of the same, at any time comming or growen to the King's hands sithence the beginning of his Majesties reign; and every thing that by reason of any such ward or wards lands, and for default of suing or prosecuting of any livery for any such wards lands, ought to come or be to the King's Majesty, and which as yet is not discharged: and also excepted all fines that should or ought to grow to the King's Majesty of any his widows, that have married without licence sithence the beginning of his Majesties reign.

A. D.
1612.
Chap. 9.
Alienations
without li-
cence.

Waste in the
lands of wards
of the King,
and fines for
value of the
marriage.

Concealed
wards.

Ravishment
of said wards,
or wrongful
taking profits
of their lands.

Fines of
widows mar-
ried without
licence.

V. Provided alwayes, and be it enacted by the authority of this present Parliament, That the King's Majesty, his heyres and successours, shall have and enjoy the full and whole interest, benefit, profit, and advantage of all wardships, liveries, primer seifins, and ousterlemains of lands, tenements, and hereditaments, and all mean issues and profits, for not prosecuting or not suing of any livery or ousterlemain, happening, growing, or accruing sithence the beginning of his Majesties reign, as if this act had never been had or made; and that all and every person and persons which have tendered or ought to sue his, her, or their, or any of their liveries or ousterlemains for any mannors, lands, tenements, or hereditaments, whatsoever they be, shall sue his, her, or their livery and liveries and ousterlemains out of our said soveraign lord the King's hands, and shall answer and pay the fines, issues, and mean profits, for his or their mannours, lands, tenements, and hereditaments, which have growen or accrued since the beginning of his Majesties reign, in like manner and form to every respect as they and every of them should or ought to have done, if this act had never been had ne

Provided
that livery and
ousterlemaine
sued, and
fines and
mesne profits
paid to the
King, tho' no
office found.

A. D.
1612.
Chap. 9.

made, notwithstanding the not finding of any office or offices, or any other matter whatsoever; any article, thing or things, in this present act of general pardon comprised and specified to the contrary notwithstanding: and also excepted and foreprised out of this pardon all such persons as the last day of this present session of Parliament be in prison within the castle of Dublin, or in the prison of Marshalse, or otherwise restrained of liberty by expresse commandement of the lord deputy, or by the commandement or direction of any of his Majesties privy council.

Persons fled
for treason,
&c.

VI. And also excepted out of this pardon all and every such person and persons, which at any time sithence the beginning of the King's Majesties raigne, have fled out of this realm of Ireland or any other the King's dominions for any offence of high treason, petit treason, or misprision of treason: and also excepted all such persons as be gone or fled out of this realm for any cause contrarie to the laws and statutes of this realm without the King's Majesties licence: and also excepted all such persons, as have obtained and had licence to depart this realme for certaine time, and now doe abide out of this realm without any lawfull excuse, after the time of their licence expired: and also excepted out of this pardon all and every concealments or wrongfull detainments of any custom or subsidie due to the King's Majestie sithence the beginning of his Majesties raigne, and all corruptions and misdemeanors of any officer or minister of or concerning any custome or subsidie, and all accompts, impetitions, and suites to be had, made, or done for the same: and also excepted all and singular accounts of all and every collector and collectors of any subsidie, custome, imposition, composition, or other thing, and all accounts of every other person whatsoever that ought to be accomptant to the King's Highnesse, and the heyres, executors, and administrators of every such person, that ought to accompt for all things touching onely the same accompts, and all and singular arrerages of accompts, and all untrue accompts, and all petitions, charges, and seifures, suites, demaunds, and executions, which may or can be had of or for any accompts, or any arrerages of the same: and also excepted all titles and actions of *quare impedit*, and all homages, reliefe and relieves, heriots, rentes services, rent charges, rent feckes, and the arrerages of the same, not done or payed to the King's highnesse: and also excepted all conditions and covenants, and all penalties, titles, and forfeitures of condition or conditions, covenant or covenants, accrewed or growen to the King's Majestie by reason of the breach and not performing of any covenant or conditions: and also excepted all summes of money graunted by the King's Majestie, or any his noble progenitors; and all concealments, fraudes, and offences, by which his Majestie hath been deceyved, or not truely answered of or for the same: and also excepted out of this pardon all debtes, which were or be due to our soveraign lord

or staying
after licence
expired.

Concealment,
&c. of custom
or subsidy, and

accomptants
to the King.

Quare impe-
dit, rents, &c.

Breach of
conditions
and cove-
nants.

Conceal-
ments, deceits.

What debts
to the King
are excepted.

lord the King, or to the most noble Queen Elizabeth of famous memorie, or to any person or persons for or to any of their uses by any condemnation, recognisance, obligation, or otherwise, other then such debts as are due upon any obligation or recognisance, forfeited before the first day of this present session of Parliament, for not appearance in any court or other place whatsoever, or for not keeping of the peace, or not being of good behaviour, which debts growen and accrued upon these cases, by this free pardon be, and shall be freely pardoned and discharged: and also excepted, and foreprised out of this pardon, all and singular penalties, forfeitures, and summs of money being due, and accrued to our sovereign lord the King, by reason of any act, statute or statutes; which forfeitures, penalties, and summs of money be converted into the nature of debts by any judgement, order or decree, or by the agreement of the offendour or offendours, sithence the beginning of the reign of the late Queen Elizabeth. And also excepted all forfeitures of leases, estates or interests of any lands, tenements, or hereditaments, holden of our sovereign lord the King's Majestie by knight service, or in socage in capite, or otherwise by knights service made in one or severall assurances or leases, for any term or terms of yeares, whereupon the old and accustomed rent, or more is not reserved. And also excepted, all first fruites at this present being due, to be paid to his Majestie by force of any act or statute or otherwise: and also excepted, all penalties and forfeitures whereof there is any verdict in any suit given or past for the King's Majestie: and also excepted, all forfeitures and other penalties, and profits now due, accrued and grown, or which shall or may be due, accrewed, or growing to the King's Majestie, by reason of any offence, misdemeanor, or contempt, or other act or deed suffered, had, committed, or done contrarie to any act, statute or statutes, or contrarie to the common laws of this realm, and whereof, or for the which any action, bill, playnt or information, at any time within eight years next before the last day of this present session of Parliament, hath been or shall be exhibited, commenced, or sued in the Courts of Castle-chamber, or in any the King's Majesties courts at Dublin, and now is, or the said last day of this session of Parliament shall be there depending, and remayning to be prosecuted, or whereof the King's Majesty by his bill assigned, hath heretofore made any gift or assignment to any person or persons. And also excepted out of this generall and free pardon, all offences, contempts, disorders, covens, frauds, deceipts and misdemeanors whatsoever heretofore committed or done by any person or persons, and whereof or for the which any suit by bill, playnt or information, at any time within four years next before the last day of this session of Parliament, is or shall be commenced or exhibited in the court of Castle-chamber, and shall bee there the same last day of this session of Parliament depending, or whereupon any sentence, or decree is

A. D.
1612.
Chap. 9.

Penalties
by statutes.

converted
into debts by
judgment,
&c.

Forfeitures
of land held
by knight ser-
vice, &c.

First fruits.

Forfeitures
upon verdict,
or for which
information,
&c. sued in
8 years before
the last day of
the session, or
assignment
made.

Offences
sued for with-
in 4 years.

A. D. 1612. Chap. 9. Perjury and subornation, Forgery, Adultery, &c. Simony, Usury, Disturbances at Church, given or entered. And also excepted out of this pardon, all offences of perjuries and subornations of witnesses, and offences of forging and counterfeiting of any false deeds, escriptes or writings, and all procuring and counselling of any such counterfeiting or forging to be had or made. And also excepted out of this pardon all offences of incest, adultery, fornication and simony, and all such usury for which any interest hath been received or taken since the first day of this present session of Parliament, and all misdemeanours and disturbances committed or made in any church or chappell in the time of common prayer, preaching or divine service there used, to the disturbance thereof, and all outlawries and prosecutions upon the same. And also excepted, all offences whereby any person may be charged with the penalitie and daunger of premunire, and of the which offence or offences any person standeth already indicted, or otherwise lawfully condemned or convicted. And also excepted, all dilapidations for which any suit is, or before the end of this session of Parliament shall be depending. And also excepted, all offences in taking away, imbeazzling or purloyning any the King's Majesties goods, mony, chattles, jewels, armour, munition, ordnance, or other habiliments of war. And also excepted out of this pardon, all manner of extortions whatsoever; and also excepted all covines, frauds, deceipts, and other disorders and misdemeanours whatsoever heretofore committed, or done by any steward of his Majesties mannours or courts, undersheriffe, or by any officer or minister in any of his Highness courts, in or by reason or colour of any of their offices or places, or any their deputies or clerks, and all offences of ayding, comforting, assisting or procuring of any undersherife, or any such officer, minister, or clerke, in continuing doing or executing any such extortion, exaction, covin, fraude, deceipt, disorder, or misdemeanor. And also excepted out of this pardon, all issues, fines, amerciaments being totted, levied or received by any sherife, undersherife, baylife, minister, or other officer to or for the King's Majesties use or behoofe, before the last day of this present session of Parliament, and all issues, fines and amerciaments afferred, taxed, set, estreated or entred severally, or particularly touching or concerning any one person, or more persons, jointly or severally, above the summe of six pounds. And also excepted, all issues, fines and amerciaments afferred, taxed, set, or entred severally or particularly in any court of record at Dublin, at any time sithence the feast of Saint Bartholomew last past; and yet neverthelesse all other fines, as well *finis pro licentia concordandi*, as other set, taxed, estreated or entred afore the said feast of Saint Bartholomew; and also all issues and amerciaments, as well real as others, within any liberties or without, being set, taxed, estreated or entred afore the said feast of Saint Bartholomew, and which severally or particularly extend to, or under the summe of six pounds, and not above, whether they be

be estreated or not estreated, or whether they be turned into debt, or not turned into debt, and not being totted, levied or recovered by any sheriffe, undersheriffe, minister, or other officer to or for the King's Majesties use or behoof, before the last day of this present session of Parliament, shall be freely, cleerly and plainly pardoned and discharged against the King's Majesty, his heyres and successours for ever, by force of this present act of free pardon; and yet nevertheless all estreats of such fines, issues and amerciaments, as be now pardoned by this act, and which be already estreated forth of the court of Exchequer, and be remaining in the hand of the sheriff, under-sheriff, or bayliff, for collecting of the same fines, issues and amerciaments, shall upon the return of the same estreats be orderly charged and delivered by scrowls into the office of the pipe in the court of Exchequer, as heretofore hath been accustomed, to the intent that thereupon order may be taken, that his Majesty may be truly answered of all such fines, issues and amerciaments not by this act pardoned, and which any sheriff, undersheriff, bayliff, or other officer or minister hath received, or ought to answer by force or colour of any such estreate, processe or precept, to him or them made for the levying thereof: and yet notwithstanding all and every sheriff and sheriffs, and other accomptants, upon his or their petition or petitions to be made for the allowance of any such fines, issues and amerciaments, as by this act pardoned, shall have all and every such his and their petition allowed in his or their accompt and accompts, without paying any fee or reward to any officer, clerk or other minister, for the making, entring and allowing of any such petition or petitions; any usage or custome to the contrary notwithstanding. And also excepted out of this pardon, all goods, chattels, debts, actions and suits already forfeited, or whereof any right or title is accrued and grown to the King's Majesty by reason of any outlawry, and whereof the King's Majesty by his Highnesse letters patents hath, before the last day of this present session of Parliament made any grant, covenant or proviso to any person or persons. And also excepted out of this pardon all such persons as be and remain still attainted or condemned, and not already pardoned, of or for any rebellion or levying of warre, or of or for any conspiracy of any rebellion or levying of warre within this realm, or in any other the King's dominions. And also excepted, all false forging and counterfeiting of any commission or commissions, to enquire of any lands, tenements, or hereditaments: and also all false forging and counterfeiting of any untrue certificate, or return of any commission or commissions obtained or gotten of any court or courts, to enquire of any lands, tenements, or other things whatsoever, and all, and all manner of falsifying of any particular, or of any bill or bills signed by his Majesty after the ingrossing thereof, and before the passing of the same unto the great seal.

A. D.
1612.
Chap. 9.

Estreats of such fines as are pardoned, shall yet be delivered into Exchequer as heretofore.

Accomptants upon petition shall without fee be allowed in their accounts such fines as are pardoned.

Forfeitures upon outlawry, granted by the King, excepted.

Those attainted for rebellion, &c. and not already pardoned,

Forging commissions of inquiry, and certificates or returns thereof.

Falsifying bills.

A. D.

1612.

Writs of *Capias utlegatum* may be awarded to compel answer, and *Scire facias* shall be sued by those outlawed.

VII. Provided alway, and be it enacted by the authority aforesaid, that it shall and may be lawfull to all and every clerk and other officers of the King's courts to award and make writs of *Capias utlegatum* at the suit of the party plaintiffe against such persons outlawed, as be pardoned by this act, to the intent to compell the defendant and defendants to make answer to the plaintiffe and plaintiffes, at whose suit he or they were outlawed; and that every person so outlawed shall sue a writ of *Scire facias* against the party and parties, at whose suit he or they were so outlawed before this pardon, in that behalf shall be allowed to him or them that is so outlawed.

Pardon not to extend to outlaws, till they satisfy or agree with the party at whose suit.

VIII. Provided also, and be it enacted by the authority of this present Parliament, That this act of general pardon shall not in any wise extend to any person outlawed upon any writ of *Capias ad satisfaciendum*, until such time as the person so outlawed shall satisfie, or otherwise agree with the party at whose suit the same person was so outlawed or condemned.

C H A P. X.

¶ *An Acte for the grauntinge of one entire Subsidie by the Temporalitye.* Rot. Parl. cap. 5.

THIS your Majesties realme of Ireland, most dread and gracious soveraigne hath in former tymes been subject to so many miseries, as that yt hath been a continuall burthen to the crowne of Englande, without yielding any retribucion, or returninge of any commodety or proffit to the same; and albeyt infinite treasures have been from tyme to tyme expended in and upon this kingdom, yet did yt never thereby become more rich and wealthie, but continued in want and penurye as yt was before; the true cause whereof did arise, from the great and long discention and troubles which did waste and depopulate the wholle lande, made all possessions uncertaine, and disabled the subject to ymprove the commodities of the same. But forasmuch as since the begininge of your Majesties most happie raigne, all the causes of warre, discention and discontentment are taken away by the rootinge out of many wicked and ungratefull traytours, by receyvinge all the Irishrye into your gracious protection, by settinge of your subjects estates in their landes by your commissions for surrenders and defective titles, by securitynge their lieves as well by generall as particular pardones, by remitting many great arreares of rents, many profits and forfeitures, by confirminge and enlarginge the privileges of your cittyes and townes corporate, by establishinge the circuites and visitacions of justice throughout the kingdome, and lastelie, by the plantacion of Ulster with Brittishe colonies; your Majestie nowe beinge in the absolute and peaceable possession of this your vineyard, and haveinge cleered yt from the thornes and briers of rebellion, fenced yt as well with the lawe, as with the sworde, and planted yt with so many civill subjects of England and Scotland, maye nowe justelye expect somme fruite thereof; and therefore we your Majesties most loyall and lovinge subjects assembled in this present Parliament, most gratefully acknowledging that they have received from your Majestie theise inestimable benefites before expressed, doe with all dutye and humble affection present unto your Highnes one entire subsidye, most humblye beseechinge your Majestie to accept thereof, as the first frutes of this your poore kingdome of Irelande; and to that ende we humblie beseeche your Majestie, that yt may be enacted, and be yt enacted by the lordes spirituall and temporall, and the commons in this present Parliament assembled

Enacting part.

sembled, and by the aucthoritie of the same, That your Highness your heires and succeffors, shall have and receive one entier subsidy, to be rated, taxed, levied and paied at twoe severall and equall payments, of every person spirituall and temporall, of what estate or degree he or they be accordinge to the tenor of this act, in maner and forme followinge, that is to saye, as well that everye person borne within this realme, or other his Majesties dominions, as all and everye fraternetye, guilde, corporacion, misterye, brotherhood and communaltye, corporated or not corporated within this realme, or other his Majesties dominions, beinge woorth three poundes for everye pounce, as well in coyne, and the value of everye pounce that everye such person, fraternitye, guilde, corporacion, misterie, brotherhood and comunaltye corporate or not corporate, hath of his or their owne or any other to his or their use, as also plate, stock of merchandize, all maner of corne and graine, howsehollde stufte, and of all other goodes moveable, as well within this realme, as without, and of all such sommes of money as to him or theym is or shall be owinge, whereof he or they truste in his or their conscience fuerlye to be paid, except and oute of the premisses deducted such sommes of money as he or they owe, and in his or their consciences intendeth truely to paye, and excepte also the apparell of every such person, their wives and children, belonging to their owne boddies, savinge jewels, goulde, silver, stone and pearle, shall pay to and for the said subsidye, in twoe severall payments, twoe shillings eight pence of every pounce, that is to saye, fixteene pence of every pounce, at everye of the said payments, and also everye alyen and stranger, borne out of the Kinge's obeisance, as well denizens, as others inhabiting within this realme, of every pounce that he or they shall have in coyne, and the valewe, of every pounce in plate corne, or graine, merchandize, howsehollde stufte, or other goods, jewels, chattels, moveable or unmoveable as is aforesaid, as well within this realme as without, and of all sommes of money to him or them owinge, whereof, he or they truste in his or their consciences to be paid, except and out of the same premisses, deducted every such somme or sommes of money which he or they doe owe, and in his or their conscience or consciences intende truely to paye, shall paye to and for the said subsidye, in twoe severall payments, five shillings and foure pence of every pounce, that is to saye, twoe shillings eight pence of every pounce at everye of the said payments; and also that everye alyen, stranger borne out of the Kinge's dominions, beinge denizen or not denizen, not beinge contributarie to any the rates aforesaid, and beinge of the age of seaven yeres or above, shall paye to and for the said subsidye, eight pence for everye polle, at twoe severall payments, that is to saye, foure pence for everye polle, at everye of the said payments, and the master, or he or she, with whome the said alien is or shall be abidinge at the tyme of the taxacion or taxacions thereof, to be charged with the same, for lacke of payment thereof.

II. And be yt further enacted by the aucthoritye aforesaid, That every person, borne under the Kinge's obeisance, and everye corporation, fraternitye, guilde, misterye, brotherhood and communaltye, corporate or not corporate, for everye pounce that everye of the same persons, and everye corporacion, fraternetye, guilde, misterye, brotherhood and comunaltye, corporate or not corporate, or any other to his or their use, hath in fee simple, fee tayle, for terme of liefe, terme of yeares by execucion, wardeshippe, or by coppie of courte rolle of and in anye honors, castles, manors, landes, tenements, rents, services, hereditaments, annuities, fees, corrodyes, or other yearlye profites, of the yearlye value of twentie shillings, as well within auncient demeafnes and other places priviledged, as elswheare, and so upwarde shall paie to and for the said subsidye, at twoe severall payments, foure shillings of and for everie pounce, and everie alien, denizen or not denizen, borne out of his Majesties obeyfance, in such case to paye to and for the said subsidye, at twoe severall equall payments, eight shillings of everie pounce, and that all sommes to be presented and chargeable by this acte, eyther for goods and debtes, or either of them, or for landes and tenements, and other the premisses, as is in this act conteyned, shall be at everye of the said payments, set and taxed after the rate and proporcion accordinge to the true meaninge of this act, landes

A. D.
1612.
Chap. 10.

and tenements chargeable to the twentieth parte of the clergie, and yerelye wages due to servantes for their yearelye servises, other then the Kinge's servantes takinge yearlye wages of five poundes or above, onelic excepted and foreprised; and that all plate, coyne, jewels, goods, debts, chattells personall, and all landes, tenements, and other the premisses as aforesaide, beinge in the rule and custodie of any person or persons to the use of any corporacion, fraternetye, guilde, mysterye, brotherhood, or any cominaltye, beinge corporate or not corporate, be and shall be rated sett and chardged, by reason of this act, at the value certefied by the presenters of that certificate, of everye pounce, in goods and debts, as is aforesaid, and for everye pounce in landes, tenements, annuities, fees, corrodyes, and other yerely profits as is aforesaid, and the sommes that are above rehearsed, set and taxed to be levied, and taxed of them that shall have suche goods in custodie or otherwise chardged for landes as is before expressed; and the same person or persons, and bodye corporate by auctoritye of this acte, shall be discharged against him or them that shall or ought to have the same, at the tyme of the payment or deliverye thereof, or at his otherwise departure from the custodie or possession of the same; except and alwaies foreprised from the chardge and assessment of this subsidye, all goods, chattells, jewells and ornaments of churches or chappells which have been ordeyned and used in churches or chappells for the honour and service of Almightye God; and the first payme:nt of the said subsidye, shall be by auctoritye aforesayd taxed, fessed and rated, accordinge to this act, in everye countie, baronye, cantred, cittie, borough, towne, and everie other place within this realme of Ireland, before the first daie of September next cominge, whiche shall be in the yere of our Lorde God, one thousande fixe hundreth and fiteene, and the seconde payment of the saide subsidye shall be by the authoritie aforesaid, taxed, fessed and rated, accordinge to this act, in everye countye, baronye, cantred, citye, boroughe, towne, and everye other place within this realme of Irelande, before the first daie of Marche, whiche shall be in the saide yere of our Lorde God, one thousande fixe hundreth and fiteene, and the particuler summes of everye countie, baronye, cantred, cittie, boroughe, towne or other places aforesaid, with the particuler names of such as are, or shall be chargeable for, and to the first payment of the saide subsidye, to be taxed and sett by the commissioners for the same to be limmitted, or two of them at the least, with the names of the high collectors, and in the same forme shall be certefied into the Kinge's Exchequer, before the first daye of October, whiche shall be in the yere of our Lorde God, one thousande fixe hundreth and fiteene, and the particuler sommes of everye countye, baronye, cantred, cittie, boroughe, towne or other places aforesaid, with the particuler names of such as are, or shall be chargeable for, and to the second payment of the said subsidye to be taxed and set by the commissioners for the same, to be limmitted or twoe of them at the least, with the names of the high collectors, and in the same fourme shall be certefied into the Kinge's Exchequer, before the first dai of Aprill, whiche shall be in the yere of our Lorde God, one thousande fixe hundred and fiteene; and the said sommes in forme aforesaid, to be taxed to and for the first payment of the said subsidye, shall be paid in one entire somme into the Kinge's receipt of his exchequer aforesaid, to the use of our said soveraigne Lord, at or before the first daye of December, whiche shall be in the said yere of our Lord God, one thousande fixe hundreth and fiteene; and the said sommes in maner and fourme afore-said, to be taxed to and for the second payment of the said subsidye, shall be paid in one entire somme into the receipt aforesaid, to the use aforesaid, at or before the firste daie of June which shall be in the yere of our Lorde God, one thousande fixe hundred and fiteene, and the sommes aforesaid, of and for the said subsidye shall be taxed, sett, asked and demaunded, taken, gathered, levied, and paid to the use of our said soveraigne Lord, his heires and successors in fourme aforesaid, as well within the liberties, franchises, sanctuaries, auncient demesnes, and other whatsoever places exempt or not exempt, as without any graunte, chartor, prescription, use, libertye or freedome by any letters patents or other priviledges, prescription, or allowance of the same, or whatsoever other matter of discharge to the contrary heretofore made, used, graunted or obtained notwithstandinge.

III. And

III. And yt is further enacted by the aucthoritye of this present Parliament, That everye such person, as well such as be borne under the Kinge's obeyfance, as everye other person stranger borne, denizen or not denizen, inhabitinge within this realme, which at the tyme of the said assessinge or taxacions, or of everye of them to be had or made, shall be out of this realme, and have goods, chattells, landes or tenementes, fees or annuities, or other proffites within this realme, shall be chardged and chargeable for the same, by the certificate of the inhabitants of the place wheare such goods, chattells, landes, tenements, or other the premisses then shall be, or in such other place wheare such person or persons, or his or their factors, deputye or attorney, shall have their most resort unto, within this realme, in like maner as yf the said person weare or had ben at the tyme of the said assessinge within this realme, and that everye person abidinge or dwellinge within this realme, or without this realme, shall be chardged or chargeable to the same subsidye granted by this act, accordinge and after the rate of such yerely substance, or value of landes or tenements, goods, chattells, and other the premisses, as everye person so to be charged, shall be set at the tyme of the said assessinge or taxacion uppon him to be made, and none otherwise.

IV. And be yt further enacted by the aucthoretye aforesaid, That for the assessinge, and orderinge, of the said subsidie to be dulye had, the lorde deputye, or other cheefe governour of this realme for the tyme beinge, with the advice of the lord chauncellor, vicethrefurer, the lord cheefe justice of his Majesties cheefe place, the lord cheefe justice of his Majesties courte of common pleas, the lord cheefe baron of his Majesties court of exchequer, the master of the rolles for the tyme beinge, or any twoe or more of them, shall or may name or appoint, of and for everye countye or shire within this realme, and also of and for everye citty and towne, beinge a countye of yt selfe, such and so many persons as they shall thinke convenient, to be commissioners of and in the said severall countyes, cities or townes, and also the said lord deputye, or other cheefe governor, with the advice aforesaid, in like maner may name and appointe of everye other fouch boroughe, and towne corporate within this realme, as they shall think requisite, fixe, five, fowre, three or two of the head officers, and other honest inhabitaunts of everye the said cities, boroughes, and townes corporate, accordinge to the number and multitude of the people beinge in the same, the which persons yf anye such be thereunto named of the said inhabitaunts, of the said boroughes, and townes corporate, not beinge countyes of themselves, shall be joyned and put in as commissioners with the said persons named for everye such countye or counties, as the said boroughes, and townes corporate, not beinge countyes, by reason of their dwellinges in the same, shall not take uppon them, nor none of them to put any parte of their commission in execucion for the premisses out of the said cittyes, boroughes and townes corporate wherein they be so named onelye, nor to execute the said commission within the citty, boroughe or towne corporate where they be so dwellinge, but at such daies and tymes as the said other commissioners for the same shier or countye, shall thereunto limitt and appointe within the said cittyes, boroughes or towne corporate, not beinge a countye whereof they be so named, and not out of such citty, boroughe or towne, and in that maner to be aidinge and assistinge with the said other commissioners, in and for the good execution of the effect of the said commission, upon payne of every of the said commissioners so named for everye such citty, boroughe and town corporate, not beinge a countie, to make such fyne, as the said other commissioners in the commission of and for the same shire or countie so named, or three of them at the least, shall by their discretions set and certifie into the Kinge's exchequer, there to be levied to the use of the Kinge's Majestie, in like manner as yf such and like summes had been set and rated upon everye such person for the said subsidye, the which commissioners so named, of, and for the said cities, boroughes and townes not beinge counties, and onelic put into the said commission by reason of their dwellinge in the same, shall not have any parte of the portion of the fees and rewardes of the commissioners, and their clerkes, in this act after specified and allowed; and the said lord chauncellor of this realme for the tyme beinge, shall make and direct out of

A. D.
1612.
Chap. 10.

A. D. 1612. the court of chauncery under the greate seale, severall commissions, that is to saye, for everye shire or countye, and for eche citty, towne and boroughe unto such person and persons as by his discretion, or any of the other with him before named and appointed, as is before rehearsed shall be thought sufficient for the fessinge and levyinge of the said subsidye in all shiers and places, accordinge to the true meaninge of this acte, which commissions, for the first payment of the said subsidye, shall be directed and delivered to the said commissioners or to one of them, before the first daye of July, which shall be in the yere of our Lord God, one thousande sixe hundred and fifteene, and the commissions for the second payment of the said subsidye, shall be directed and delivered to the said commissioners, or to one of them, before the first daie of Januarye then next following, which shall be in the said yere of our Lord God, one thousand sixe hundred and fifteene, and to everye of the said commissions tenn shedges, conteyninge in them the tenor of this act, shall be affixed, by the which commission, the commissioners in everye such commission named accordinge to this act, and as manye of them as shall be appointed by the said severall commissions, shall have full power and aucthoretie to put the effect of the same commission in execution; and that by aucthoretie of this act, after such commission to them directed, they may by their assents and agreements sever themselves for the execution of their commission, in severall baronies, cantreds, hundreds, townes, parishes, and other places within the limittes of the said commission, in such form as to them shall seem expedient to be ordered, and betweene them to be communed and agreed upon accordinge to the tenor and effect of the commission to them therein directed.

V. And be yt also enacted by the aucthoretie of this present Parliament, That the commissioners, and every of them, which shall be named, limitted, and appointed accordinge to this acte, to be commissioners in everye such shier or countie, citty, towne or boroughe, or any other place, and no other, shall truelye, effectuallie and diligentlie for their parte execute the effect of this present act, accordinge to the tenor thereof in everie behalfe, and no otherwise by any other meanes, without omission, favour, dreade, malice or any other thinge to be attempted or done by them or any of them to the contrarie thereof, and the sayd commissioners, or as many of them as shall be appointed by the said commission, and none other for the execution of the sayd commission and act, shall for the taxacion of the first payment of the said subsidye, before the tenth daie of August, which shall be in the yere of our Lord God, one thousande sixe hundred and fifteene, and for the taxacion of the said second payment of the said subsidye, shall be before the tenth daie of Februarye, which shall be in the said yere of our Lord God, one thousande sixe hundredth and fifteene, by vertue of the same commission, delivered unto them in forme aforesaid, direct their severall joynt precept or precepts unto eight, seaven, sixe, five, foure, three or two as for the number of the inhabitants shall be requisite, of the moste substanciall, discrete and honest persons inhabitants to be named by the said commissioners, or by as manye of them as shall be appointed by the said commission, of and in the baronies, cantreds, hundreds, wardes, parishes, townes and other places, as well within libertyes, franchises and places exempted as without, within the limittes of the shires, counties, citties, townes, boroughes, and other places within the limites of their commission, and to the constables, subconstables, bayliffes, and other like officers and ministers of everye of the said baronies, cantreds, hundreds, townes, wardes, parishes and other places aforesaid, as to the said commissioners and everye number of them, or unto three or two of them, by their discretions in division shall seeme expedient, straightlie by the said precept, charging and commandinge the said inhabitants, constables and other officers aforesaid, to whom such precept shall be so directed, to appeare in their proper persons before the said commissioners, or such number of them as they shall devide themselves accordinge the tenor of the said commission, at certayne dayes and places by the said commissioners or any number of them as is aforesaid, within citties, boroughes or townes corporate, or without in anye other places as is aforesaid, by their discretions shall be limited thereunto, to doe and accomlishe all that to them on the parte of the Kinge's

Majestie

Majestie shall be enjoined touching this act, commaunding further by the said precept, that he to whose handes suche precept shall come, shall have and deliver the same to the other inhabitants or officers named in the same precept, and that none of them faile to accomlishe the same, upon payne of fortye shillings to be forfeited to the Kinges Majestie.

A. D.
1612.
Chap. 10.

VI. And yt is further ordeyned by the aucthoretie of this present Parliament, That at the same daie and place prefixed and limitted in the said precept, everie of the said commissioners then beinge within this realme, and having no sufficient excuse for his absence at the daie and place prefixed, for that parte whereunto he was limitted, shall appeare in his proper person, and theare the said commissioners beinge present, or as manye of them as shall be appointed by the Kinges Majesties commission, shall call or cause to be called before the said inhabitants and officers, to whom they have directed theire said precepts, and which had in commaundement theare to appeare by vertue of the said precept; and yf anye person so warned, make defaulte, unles he then be letted by sicknes or lawfull excuse, and that lett then be witnessed by the oathes of two credible persons, or yf any appearinge refuse to serve in forme followinge, then everie such person so makinge defaulte, or refusing to serve, shall forfeit to the Kinges Majestie fortye shillings, and so at everye tyme appointed by the said commissioners for the same taxacion, untill such tyme the number of everie such persons have appeared and certefied in forme underwritten, everie of them so makinge default or refusing to serve, shall forfeit to the Kinges Majestie fortye shillings; and upon the same apparance had, they shall be charged before the commissioners by all convenient waies and means, other than by corporal oath, to enquier of the best and moste value, of the substance of everye person, dwellinge and abidinge within the lymittes of the places that they shall be charged with, and of other which shall have his or their most reforte unto any of the said places, and chargeable with any summe of money by this act of the said subsidye, and of all other things requisite, touching the said act, and accordinge to the intent of the same, and thereupon as neere as yt may be or shall come to their knowledg, truelye to present and certifye before the said commissioners, the names and surnames and the best and uttermost substaunce and values of everye of them, as well of landes, tenements and other hereditaments, possessions and proffits, as of goods, chattels, debts, and other thinges chargeable by the same act, without any concealment, love, favor, affection, dread, or malice, uppon payne of forfecture of five pounds or more, to be taxed, extreated, and leavyed in forme, as hereafter in this present act shall be lymitted and appointed; and thereupon the said commissioners shall openlye there reade or cause to be read unto them, the said rates in this act mentioned, and openlye declare the effecte of theire charge unto them, in what maner and fourme they ought, and shall make their certificate accordinge to the rates and summes thereof aforesaid, and of all maner of persons, as well of aliens and strangers, denizens, or not denizens, inhabitinge within this realme, as if such persons be borne under the Kinges obeifance, chargeable to this act, and of the possessions, goods, and chattels of fraternetyes, guildes, corporacions, brotherhoods, misteries, cominalties, and other as is abovesaid, and of persons beinge in the partes beyond the seas, havinge goods and chattels, landes or tenements within this realme, as is aforesaid, and of all goodes, beinge in the custodie of any person or persons, to the use of any other as is abovesaid, by the which information, and shewinge the said persons shoulde have such playne knowledg of the true intent of this present act, and of the maner of theire certificate, that the same persons shall have no reasonable cause to excuse them by ignorance; and after such charge, and the statute of the said subsidye, and the maner of the said certificate to be made in writinge, conteyninge the names and surnames of everye person, and whether he be born without the Kinges obeifance or within, and the best value of everye person in every degre, as well of the yerelye value of landes and tenements, and of such like possessions and proffites, as of the value of goods and chattels, debts, and everye thinge to theire certificate requisite and necessarie to them declared; the said commissioners there beinge, shall by their discretions appointe and limitt unto the said persons, another daie and place to appeare before the said commissioners, and charginge the said persons, that they, in the meane tyme, shall make diligent inquirye, by all wayes and meanes, of the premisses, and then and there, everye of them, uppon paine of forfecture of

A. D.
1612.
Chap. 10.

fortie shillings to the Kinge's Majestie, to appeare at the newe prefixed daie and place, theare to certefye unto the said commissioners in writinge, accordinge to their said charge, and accordinge to the true intent of the said graunt of this present subsidye, and as to them, in maner aforesaid, hath been declared and shewed by the commissioners; at which daie and place, so to them prefixed, yf any of the said persons make defalte, or appeare and refuse to make the said certificate, that then, everye of them, so offending, to forfeit to the Kinge's Majestie fortye shillings, except there be a reasonable excuse of his defalte, by reason of sicknes or otherwise, by the oathes of twoe credible persons there witnessed, and of such as appeare ready to make certificate as aforesaid, the said commissioners there beinge shall take and receive the same certificate and everye parte thereof, and the names, values, and substance of everye person so certified, and yf the said commissioners see cause reasonable, they shall examine the said presentors thereof, and thereupon, the said commissioners at the said daies and place, by their agreement amongst themselves, shall, from tyme to tyme, there openlye prefixe a daye, at a certain place or places, within the limitts of their commissions, by their discrecion, for their further proceedinge to the said assessinge of the same subsidye; and thereupon, at the said daie of the said certificate, as is aforesaid taken, the same commissioners shall make their precept or precepts to the sherriffes, under-sherriffes, constables, sub-constables, bayliffes, or other officers of such shiers, baronyes, cantreds, hundreds, towns, or other places aforesaid, as the same commissioners shall be of, compriseing and conteyning in the said precept, the names and surnames of all persons presented before them in the said certificate, of whom, yf the said commissioners, or as manye of them as shall be thereunto appointed by the Kinge's commission, shall then have vehement suspect to be of more greater value or substance in lands, goods, chattles or summes of money owing unto them, or other substance before said, then uppon such person or persons so certified and specified as aforesaid, the same commissioners shall make their precept or precepts directed to the sherriffes, under-sherriffes, constables, bayliffes, or other officers, commaunding the same sherriffes, under-sherriffes, constables, bayliffes, or other officers, to whom such precepts shall be directed, to warne such persons whose names shall be comprised in the said precepts, at their mancions, or to their persons, that the same persons, so named in such precepts, and everye of them, shall personallie appeare before the said commissioners, at the same new prefixed daye and place, theare to be examined by all waies and means (other then by corporall oath) by the said commissioners, of their greatest substance and best value, of all and everye summe and summes of money owing to them, and other whatsoever matter concerninge the premisses or anye of them, accordinge to this act, at which daye and place so prefixed, the said commissioners then and there beinge, or as manye of them as shall be thereunto appointed by the Kinge's commission, shall cause to be called the said persons, whose names shall be comprised in the said precepts, as is aforesaid, for their examinacion; and yf anye of those persons which shall be warned as is aforesaid to be examined, which at anye tyme after the warning and before the prefixed daie, shall be within such place where he may have knowledg of his said apparance to be made, make defalte and appeare not, unless a reasonable cause, or ells a reasonable excuse, by the oath of two credible persons before the said commissioners be truellie alledged for his discharge, that then everye of them so makinge defalte, to be taxed and chardged to the Kinge's Majestie, with and at the double summe of the rate that he shoulde or ought to have been sett at, for and after the best value of his landes or substance uppon him certified, yf he had appeared by the discrecion of the said commissioners there beinge, which commissioners shall travell with everye of the other persons then and theare appearing, whose names shall be expresseed in the said precept or precepts, and in whom anye vehement suspect was or shall be had in forme aforesaid, by all such wayes and means as they can (other than by corporall oath) for the better knowledg of their best value, either in hereditaments or possessions, or ells in goods and debts, and thereupon shall have power and aucthoritye by vertue of this act, accordinge to their discrecion, to inlarge and increase the taxacions of such persons as they shall so finde, by due examinacion to be of greater value or substance in landes or goods, then they weare presented at; and that everye spirituall person at everye of the said taxacions of the said subsidy, shall be rated and sett accordinge to the rule abovesaid, of and for everye pounce that

that the same spiritual person, or any other to his use, hath by descent, bargain, purchase in fee simple, fee taylor, terme of life, terme of years, by execution, by wardshippe, or by coppie of courte rolle in any manors, landes, tenements, rents, services, offices, fees, corrodies or hereditaments, after the true, just, and yerelie value thereof, and accordinge as other the Kinge's Majesties subjects borne within this realme be charged in forme above remembred, so that yt extende to the yerelye value of twentye shillings or above.

VII. And yt is further enacted, that yf the sayd taxors or assessors shall undulye behave themselves in their inquirye, taxation, assessment or certificate, but shall affectionatlye, corruptelye, or partialy demean themselves in that behalfe, in such wise that the commissioners shall by their considerations deeme them offenders worthie of punishment for not doinge their duties therein, that then foure or more of the commissioners in that countie for the same subsidye, shall have power and auctorite by their discrecions, either to charge the said assessors upon their corporall oathes for the better service aforesaid in that behalfe, or ells by their discrecions to taxe and sett upon everye of the said assessors, for their misdemeanors in that behalfe, such a fyne or payne as they shall thinke good, so that it exceede not the somme of tenne poundes, and the same fyne or payne at their discrecions to estreat into the courte of Exchequer; everye which fine so taxed and set by foure of the said commissioners or more, being estreated with the schedule and bookes of that lymitt, shall be levied and answered to the Kinge's use, in like maner and fourme to all intents and purposes as any other summes that shall be taxed and become due by vertue of this statute and act of subsidie, and not in anye other wise or maner, and yf any person certified or rated by vertue of this act, whether he be a commissioner or other, to any maner of value doe finde himselfe greeved with the same presentment, fessinge or ratinge, and thereupon complaine to the commissioners, before whom he shall be called, fessed or taxed, or before two of them, before the same taxation be certified into the court of Exchequer, that the said commissioners, or two of them, shall by all waies and meanes examine particularly and distinctelye the person so complayning upon his oathe, and other his neighbours by their discrecions, of everye his landes and tenements above specified, and of everye his goods and chattels, and debtes above mencioned; and after due examinacion and perfect knowledge thereof had and perceived by the said commissioners, or two of them, which shall have power by aucthoretye aforesaid, the said commissioners, or two of them, to whom any such complaint shall be made by their discrecions upon the oath of the said person so complayninge may abate, defalke, increase or enlarge the same assessment accordinge as it shall appear to them just upon the same examinacion, and the same summes so abated, defalked, increased or enlarged, shall be by them estreated in fourme as hereafter insueth; and yf yt be proved by witnesses, or by the parties owne confession, or other lawefull wayes or meanes within a year after such oath made, that the same person so rated or sworne was of anye better or greater value in landes, goodes, or other thinges above specified at the tyme of his said oath, then the same persons so sworne did declare upon his said oath, that then everye person so offending, shall loose and forfeit to his Majestie so much lawfull money of Englande, as he the said person so sworne was sett at or taxed to paye.

VIII. And also yt ys enacted by the same aucthoritye, that every person to be rated and taxed as is aforesaid, shall be rated and sett, and the summe on him sett to be levied, at such place, wheare he and his familie were resident for the most parte of the yere next before the same presentment and taxation made, and no wheare ells, and that no commissioner for this subsidye shall be rated or taxed for his goodes and landes, but in the countye or other place wheare he shall be commissioner; and yf any such person chargeable to this act, at the tyme of the said assessing, happen to be out of this realme, or furre from the place wheare he shall be knowen, then he to be sett wheare he was last abydinge in this realme, and after the substance, value, and other proffites of everye person, to be knowen by examinacion, certificate, or other maner of wise as is aforesaid; and that the said commissioners, or as many of them as shall be appointed by the Kinge's Majesties commission or commissions, shall after the rate and rates aforesaid, cause everye person so to be set, rated and taxed accordinge to the rate of the substance and value of his landes, goodes, chatteles,

A. D.
1612.
Chap. 10.

and other proffites chargeable by this act, whereby the greatest or moſte beſt ſumme or ſummes accordinge to his moſt ſubſtance, by reaſon of this act might or may be ſet or taxed; and that everye perſon taxed in anye countye or place or other then where he and his famelye weare reſident for the moſt part of the yere then next before, or in any countye or place, other then where he is a commiſſioner for the ſubſidy, yf he be a commiſſioner uppon certificate made to the ſaid courte of Exchequer, under the handes and ſeales of twoe commiſſioners for the ſame ſubſidy in the ſame countye or place where ſuch perſon and his famelye weare reſident for the moſt part of the yere next before, or wheare he is a commiſſioner for the taxation and payment of the ſame ſubſidy, teſtifying his moſt reſiancy, havinge a famelye, or beinge a commiſſioner, ſhall be a ſufficient diſcharge for the taxation of that perſon in all other places, and of and for all other ſummes of money uppon ſuch perſons ſo ſett and taxed, ſave onelie the taxation made in that countye or place from whence ſuch certificate ſhall be made as is aforeſaid, and for the ſumme of money uppon ſuch perſons theare aſſeſſed and taxed, and that ſuch certificate without anye plea or other circumſtance, ſhall be a ſufficient warrante, as well to the barons and auditor and auditors of the ſaid courte of exchequer, and to all and everye other officers to whome the allowance thereof ſhall appertaine, payinge for ſuch diſcharge and allowance onelie fix pence and no more.

IX. Provided alwayes, that everye ſuch perſon which ſhall be rated or taxed accordinge to the intent and true meaninge of this act for payment of and to this ſubſidy, for and after the yerelie value of his landes, tenements and other reall poſſeſſions or proffites at any of the ſaid taxacions, ſhall not after be ſett and rated for his goods and chattels, or other moveable ſubſtance, at the ſame taxation; and that he that ſhall be ſet, charged or taxed for the ſame ſubſidy, for his goods, chattels, and other moveables at anye of the ſaid taxacions, accordinge to the true meaninge of this act, ſhall not after be charged, taxed, or chargeable for his landes, or other reall poſſeſſions and proffites aforeſaid, at the ſame taxacions, or any of them; nor that any perſon by any taxation be double charged for the ſaid ſubſidy, nor ſet or taxed at ſeverall places by reaſon of this act; but yf any perſon happen to be double ſet, taxed or charged, eyther in any place or at ſeverall places, then he to be diſcharged of the one taxation, and charged with the other, accordinge to the meaninge and intent of this act; any thinge conteyned in this preſent act to the contrarie notwithstandinge.

X. And that yt be ordeined and enacted by the ſaid aucthoretie of this preſent Parliament, that no perſon having twoe manſions, or twoe places to reſorte unto, or calling himſelfe howſeholde ſervant, or waytinge ſervant to the lord deputye, or other lord or ladye, maiſter or miſtreſs, to be excuſed upon his ſayinge from the taxes of the ſaid ſubſidy, in neither of the places wheare he may be ſet or taxed, unleſſe he bringe a certificate in writinge from the commiſſioners wheare that he is ſo ſet or taxed in deede at one place, and yf any perſon that ought to be ſet and taxed to this preſent ſubſidy, by reaſon of his removinge or reſortinge to two places, or by reaſon of his ſayinge that he elſewheare was taxed, or by reaſon of any privilegedg of his dwellinge or abydinge in any place, not beinge forepriſed in this act, or otherwiſe, by his covyn or craſte, or by any wordes or ſayinges, or otherwiſe, or yf any that ys a commiſſioner or aſſeſſor of others happen to eſcape from the ſaid taxation for the payment of this ſubſidy, and be not ſet and taxed accordinge to the true intent of this acte, and that proved by preſentment, examinacion, informacion or otherwiſe, before the ſaid commiſſioners, or two of them, or before the barons of the Kinge's Maſteſties Exchequer, or two juſtices of the peace of the countye wheare ſuch perſons dwelleth, then everye ſuch perſon that by ſuch meanes or otherwiſe, willinglie by covin or without juſte cauſe, ſhall happpen to eſcape from the ſaid taxacions or payments aforeſaid, or anye of them, and ſhall not be rated, taxed, and ſet, ſhall be charged uppon the knowledg and prooſe thereof, with and at the double value of ſo muche as he ſhoulde, might, or ought to have ben ſet and taxed at by vertue of this act, and the ſame double value to be gathered, leavied, and paid of his goodes and chattels, landes and tenements towardes the ſaid ſubſidy, and further to be puniſhed accordinge to the diſcrecion of the barons, juſtices, and

commissioners, before whom he shall be convicted for his offence and deceit in that behalfe.

A. D.

1612.

Chap. 10.

XI. And be yt further enacted by the authoritye aforesaid, that the said commissioners in everie commission that shall be, or inhabite in any countye or place within the limits of their commission, or the more parte of them, shall have full power and authoritye by this act to set, taxe and asseſſe everie other commissioner joyned with them in everie such commission; and the said commissioners within everie division, shall also asseſſe every assessor within his or their division for his or their goods, landes, and other the premisses as is aboveſaid, by the which said commission, the commissioners to whom yt shall appertaine, shall indifferentlye set, taxe and asseſſe themselves and the said assessors, and that as well the summes upon everie of the said commissioners and assessors so ſeſſed, rated and taxed, as the summes made and presented by the presentors as is aforeſaid, shall be written, certified, set and estreated, and the estreats thereof to be made with the other inhabitants of that parte, and within the limites of the same commission and division so to be gathered and leavyed, in like maner as yt ought or shoulde have been, if the said commissioners had not been in the said commission; and that all persons of the estate of a baron or barons, and everie estate above shall be charged with their freeholde and value as aforeſaid, by the lorde deputye, or other cheefe governor of this realme, with the advice aforeſaid, and they to be charged for the said severall payments of the said subſidy, after the fourme of the said graunt, accordinge to the taxacion aforeſaid, and the somme of and upon them to be set and taxed with the names of the collectors appointed for the gatheringe and payinge of the same, to be estreated, delivered and certified at dayes and places above specified by the lord deputie and other cheefe governour of the sayd realme, for the tyme being, together with other such persons as thereunto shall be named as is aforeſaid.

XII. And be yt further enacted by the authoritye aforeſaid, That after the taxes and asseſſes of the said sommes uppon and by the sayd asseſſinge and certificate as is aforeſaid made, the sayd commissioners, or as many of them as shall be thereunto appointed, and have authoritye by the Kinge's Majestie's commission, shall with all speede and without delaye, by their writinge, estreat the sayd taxes thereof, under their seales and signes manuell of the sayd commissioners, or as manye of them as shall be appointed at the least, and the same shall be delivered unto sufficient and substantiall inhabitants, sheriffes, under-sheriffes, constables, sub-constables, bayliffes, and other officers, joyntelye of barronyes, cantreds, hundreds, townes, parishes, and other places aforeſayd within their limites, and other sufficient persons, inhabitants of the same, onelye by the discretion of the sayd commissioners, with the assent of the highe collector, and as the place and parties shall requier, as well the particuler names and surnames, as the remembrance of all summes of money taxed and sett, of and uppon everie person as well man as woman, chargeable to this act, howseholders and other inhabitants, and dwellers within the said parishes, townes and places contributarie to this act of subſidie, by authoritye of whiche writinge and estreat so delivered, the same officers and other persons so named and deputed severallye, shall have full power and authoritye by vertue of this act, ymmediately after the deliverye of the sayd writinge or estreat, to demaunde, leavye, and gather of everie person therein specified, the summe and summes in the same writinge or estreat comprised, and for not payment thereof to distraine the same person or persons so beinge behinde by their goodes and chattels, and the distresse so taken, to keepe by the space of eight dayes, at the costes and chardges of the owner thereof; and yf the said owner doe not pay suche sommes of money as shall be leavyed by authoritye of this act within the sayd eight dayes, then the same distresse to be appreyſed by foure, three, or two of the inhabitantes wheare such distresse is taken; and also then to be ſolde by the constable, or other collector for the payment of the sayd money, and the overplus cominge of the ſale and keepinge thereof, yf any be, to be ymmediately restored to the owner of the same distresse, which sayd officers and other persons so deputed to aske, take, gather and leavye the sayd summes, shall anſweare and be chardged for the portion onelye to them assigned and limited to be gathered, leavyed, and comprised in the sayd writinge of estreat, so to them as is aforeſayd delivered, to the use of our soveraigne lord the Kinge's Majestie, and his heires and successors, and the

A. D.
1612.
Chap. 10.

summe in that writinge or estreat comprised to paye unto the highe collector or collectors of that place, for the collection of the same, in maner and fourme under writen, theareunto to be named and deputed; and the same inhabitantes and officers for gatheringe the same particuler summes for their collection, thereof shall retayne for everie twentie shillings so by them received and paid, two pence, and that to be allowed at the payment of theire collection, by them to be made by the high collector or collectors.

XIII. And further be yt enacted by the sayd authoretye, That the sayd commissioners, or the more parte of them as shall take upon them the execution and busines of the said commission, shall for everie of the sayd payments of the sayd subsidye, name such sufficient and able persons which then shall have and possesse landes and other hereditaments, in theire owne right of the cleere yerelie value of twentie poundes, or goodes to the value of foure hundreth poundes at the least, as he shall be taxed in the subsidye booke, yf any such be in the said lymites, and for want of suche so assessed, then those to be appointed collectors that then shall be sufficient in landes or goodes, nearest to the values aforesayd, as by their discretion shall be thought good in the severall counties, shires, cittyes, townes corporate, and other whatsoever places, as well within places priviledged as withoute, not beinge foreprised within this act, to be high collectors, and to have the collection and receipt of the said summes sett and levyable within the precinctes, lymites and boundes, wheare they shall be so lymitted and appointed to be high collectors, and to everie of the sayd collectors so severallye named, the sayd commissioners, or two of them at the least, with all speede and without delaye, after the whole summe of any payment of the sayd subsidye be sett, by all the lymitts of the same, theire commission, or in such lymitts as the highe collectors shall be so severallye assigned, shall under their seals and signes manuel, deliver one estreat indented in parchment, comprising in yt the names of all such persons as weare assigned to levye the said particuler summes; and the summes of everie baronye, cantred, hundred, cittie, towne, and other place aforesaid, with the names and surnames of the said persons so chargeable, according to the estreats thereof, made and delivered as is aforesaid; and the collectors to be assigned shall be charged to answere the whole summe comprised in the said estreat lymitted to his collection as is aforesaid.

XIV. Provided alwayes, and be yt enacted by the authoretye aforesayd, That the sayd commissioners havinge authoretye by this act, to name and nominate the said high collectors of the sayd subsidye, shall ymmediatlye upon nominacion and election, take by authoretye of this present Parliament, sufficient recognizances or obligations withoute anye fee or rewarde, to be paid therefore of everie person so by them to be named to be high collectors, to be bounde to the Kinge's Majestye, in the double summe of the summes of his collection, and to be endorfed and made uppon such condition, that is to saye, for the collection of the sayd first payment of the sayd subsidye, that yf the sayd collector, his heires or executors, doe truelye content and paye to the use of the King's Majestie, his heires and successors, into the receipt of the sayd exchequer, at or before the sayd first daie of December, which shall be in the sayd yeare of our lord God, one thousande six hundreth and fifteene, so much of the sayd summe of money allotted and appointed to his collection, as he shall collect and gather, and content and paye the residue of his collection and charge, within one moneth next after such tyme as he hath gathered and collected the same residue, that then the sayd recognizances or obligations to be voyde, or ells to stande in full strength and vertue; And for the collection of the sayd seconde payment of the sayd subsidye, upon condition that yf the sayd collector, his heires or executors, doe truelye content or paye to the use of the Kinge's Majestie, his heires and successors, in his highnes courte of exchequer, at or before the said first daie of June, which shall be in the sayd yeare of our Lord God, one thousande six hundreth and sixteene, so much of the sayd summe of money allotted and appointed to his collection, as he shall collect and gather, and content and paye the residue of his collection and charge, within one moneth next after such tyme as he hath collected and gathered the said residue, that then the said recognifances or obligations to be voyde, or ells to stande in full strength and vertue, which said recognifances or obligations so taken, the sayd commissioners shall severallye certifye and deliver into the Kinge's Majestie's exchequer, with the severall certificates of the

the said taxations and rates of the payements of the sayd subsidye, at and by the tyme to them prescribed and appointed by this act, for the sayd certificate of the said severall taxations of the said subsidye, upon paine of forfeiture of tenn pounds to the King's Majestie, for every such recognisance or obligacion not so certified; and that everye such collector, so elected, named and chosen, uppon request to him made, shall knowledg and make the sayd recognisance or obligation uppon payne of forfeiture of twentye pounds to the King's Majestie for the refusall thereof, and that the vice-treasurer and barons of the exchequer for the tyme beinge, upon payment of the severall collections of the sayde subsidye, at the dayes and tymes therein lyimited for the payment thereof, shall cancell and deliver the sayd recognisance or obligations for the payment thereof to the collector or collectors, without anye other warrante, and withoute anye fee or rewarde to be paid for the same to anye person, and everie collector so deputed, havinge the sayd estreat in parchment as is aforesayd, shall have auctorite by this act to appoint dayes and places within the circuite of his collection, for the payment of the said subsidye to him to be made, and thereof to give warning by proclamation or otherwise, to all the constables and other persons or inhabitants, havinge the charge of the particuler collections within the baronies, cantreds, hundreds, parishes, townes, or other places by him or them limited to make payment for the sayd particuler collection of everie summe, as to theym shall appertayne. And yf at the same daye and place, so lyimited and prefixed by the said high collector, the sayd constables, officers, and other persons or inhabitants, as is aforesaid, for the sayd particuler collection, assigned and appointed within such baronies, cantreds, hundreds, cittye, towne, or other place, doth not paye unto the sayd high collector, the summe within their severall baronies, cantreds, hundreds, townes, parishes, and other places, due and comprised within the sayd estreat thereof, to them delivered by the sayd commissioners or some of them, as is aforesaid, or so much thereof as they have by any meanes received (twoe pence for everye pounce for the sayd particuler collection, as is aforesaid, allwayes thereof to be allowed, excepted and abated) that then it shall be lawfull to the sayd high collectors and every of them, and to their assignes, to distreine everye of the said constables, officers, and other inhabitants for the sayd severall and particuler collection of the sayd summes comprised in the said estreat and writing thereof, to them and everie of them, as is before expressed, delivered, or for so much of the same summe as so then shall happen to be gathered and levied, and be behinde and unpaid, by the goods and chattels of everie of them so beinge behinde and unpaid, and the distresse so taken, to be kept and appreised and solde, as is aforesaid, and thereof to taxe and leavy the summes so then beinge behinde and unpaid, and the overplus cominge of the sayd distresse (yf anye be) to be restored and delivered unto the owner, in fourme above remembred.

XV. Provided allwayes, and be yt enacted by the authoretye aforesaid, That no person or persons shall be nominated or appointed to be high collector or collectors, for the seconde payment of the said subsidye graunted by this act, which before that tyme hath been a collector or collectors, for the first payment of anye parte of the same subsidye, unlesse such person or persons so to be nominated and appointed to be high collector or collectors, for the sayd seconde payment, doe first shewe forth before him or them, by whom he shall be so nominated and appointed, his *quietus est*, for his discharge of his collection, before appointed to his charge, uppon payne of one hundred pounde, to be paid and forfeited by him or them, that so shall nominate and appointe any such collector contrarie to this present act.

XVI. And yt is also by the said auctoritey enacted, That yf anye inhabitants or officers, or whatsoever person or persons charged to and for the collection and receipt of anye parte or porcion of the said subsidye, by anye maner of meanes, accordinge to this act, or anye person or persons for themselves, or as keeper, guardian, deputye, factor or attorney, of or for any person or persons, of any goods or chatteles of the owner thereof, at the tyme of the sayd assessinge to be payd, beinge out of this realme, or in anye other partes not knowen, or of and for the goodes and chattels of any other person or persons, of anie corporacion, fraternetye, misterie, or other whatsoever communaltey, beinge corporate or not corporate, and all persons havinge in their rule, governmente and custodie, any goodes or chattells, at the time of the sayd assessinge, or anye of them, to be made, or which for anie cause, for and by collection, or for

A. D. 1612. *Chap. 10.* himfelfe, or for anye other, or by reason that he hath the rule, government or custody of anye goodes or chattels of anye other person or persons, corporacions, comminaltye, fraternetye, guilde or mistrye, or anye fuch other like, or as factor, debtor or attorneye of or for any person, shall be taxed, valued, rated and fett to anye fumme or fummes, by reason of this act, and after the taxation and affeffinge, uppon anye fuch person or persons as shall be chardged with the receipt of the fame, happen to dye or departe from the place wheare he was fo taxed and fett, or his goodes and chattels be fo esloyned, or in fuch privie or covert maner kept, as the faid person or persons charged with the fame, by the eftreates or other writings from the fayd commissioners, or as manye of them as shall be thereunto appointed by the faid commission, as is aforefaid, can or maye leavye the fame fumme or fummes comprifed within the faid eftreates, by distrefse, within the lymittes of their collection, as is aforefaid, or cannot fell fuch distrefse or distreffes as be taken for anye of the fayd payments before the tyme lymitted by the highe collector, for the payment to be made in the Kinge's Majestie's receipt, then uppon the relation thereof, the due examination by the oath, or examination of fuch person or persons as shall be charged with and for the receipt and collection of the fame, before the fayd commissioners, or as manye of them as by the fayd commission shall be thereunto appointed, wheare fuch person or persons or other as is aforefaid, theire goodes and chattels weare fet and taxed, and upon playne certificate thereof made into Kinge's Majesty's exchequer, by the fame commissioners as well of the dwellinge place, names and fummes of the fayd persons, of whom the fayd fummes cannot be leavied and had as is aforefaid, then as well the constables and other inhabitants appointed for the fame particuler collection againft the high collectors, as the highe collector uppon his accompte, and within the faid Exchequer, to be discharged thereof, and proces to be made for the King's Majestie out of the faid Exchequer, by the discretions of the barons of the fame Exchequer, againft fuch person, his heires or executors fo being behind with his payment, and over that the fame commissioners to whom anye fuch declaration of the premisses shall be made in forme aforefaid, from tyme to tyme, shall have full power and authoretye to direct theire precept or precepts, to the fayd person or persons charged with any fumme of, for and uppon any fuch person and persons, or other as is aforefaid, or to anye sheriffe, steward, bailiffe, or other whatsoever officer or minister, person or persons of fuch place or places, wheare anye fuch person or persons fo owinge anye fuche fumme or fummes shall have landes and tenementes, and other hereditaments or reall poffeffions, goods and chattels, wheareby any fuch person or persons foe indepted his heires, executors or assignes or other havinge the custodye, governance or disposition of any goodes, chatteles, landes, tenements, or other hereditaments, which ought or may by this act lawfullye be distreyned or taken for the fame, hath and shall prove goodes, chattels, landes, tenements, or other poffeffions wheareof fuch fumme and fummes, which by anye fuch person or persons may, or ought to be leavied, be yt within the lymittes of fuch commission wheare fuch person or persons was or weare taxed, or without in any places within this realme of Irelande, by which precept, as well fuch person or persons shall be chardged to leavye fuch money, as the officer of the place or places wheare fuch distrefse may be taken, shall have full power and authoretye, to distreyne everye fuch person indebted, chardged or chargeable by this act, or his executors or administrators of his goodes and chattels, his gardians, factors, deputies, lessees, fermors and assignees, and all other persons by whose handes, or out of whose landes any fuch person shoulde have fee, rent, annuitye or other profit, or which at the tyme of the faid affeffinge, shall have goodes and chattels, or anye other thinge moveable of anye fuch person or persons beinge indebted, or owing fuch fumme, and the distreffes to be taken, caufe to [be] kept and appreifed and folde in like manner and fourme as is aforefaid, for the distrefse to be taken uppon fuch persons to be taxed to the faid subsidie, and beinge sufficient to distreyne within the lymittes of the faid collectors, inhabitants, or other officers, chardged with or for the fayd fummes fo uppon them to be taxed, and yf anye fuche distrefse for non payment, happen to be taken out of the lymitts of the faid persons chardged and assigned

assigned to levye the same, the person so charged for the leavyinge of anye such summes by distresse, shall perceive and take of the same distress, for the labour of every such person goinge for the execution thereof, for everie myle that anye such person so laboureth for the same, two pence; and everye fermor, tennant, gardian, factor, or other whatsoever person beinge distreyned or otherwise charged for payment of anye such summe or summes, or anye other summe by reason of this act, shall be of such summe or summes of him or them so levied and taken, acquitted and discharged at his next daye of payment of the same, or at the deliverye of such goodes and chattells, as he that is so distreyned had in his custodye or governance against him or them that shall be so taxed and sett; anye graunt or writinge, obligatorie or otherwise, whatsoever matter to the contrarye made heretofore notwithstandinge. And if anye such person that should be so distreyned have no landes or tenements sufficient, whereby he and his tenants and fermors may be distreyned or have aliened, eloynd or hid his goodes and chattells, wheareby he shoulde or might be distreyned in such maner, that such goodes and chattells shoulde not be knowne or founde, so that the summe of or by him to be paid in the said forme, shall not, ne can be convenientlye levied, then upon relation thereof to the commissioners, or to as manye of them as by the said commission shall be thereunto appointed, wheare such person or persons weare taxed and sett by the oathes of him or them that shall be charged with the leavyinge and payment of the summe or summes, the same commissioners shall make a precept in such manner as is aforesayd, for to attache, take and arrest the bodye of such person or persons that ought to paye the said summes, and by this act shall be charged with, and for the said summe or summes, and them so taken safely to keepe in prison, within the countye or other place wheare anye such person or person shall be taken and attached, theare to remayne without bayle or maineprise, untill he hath payed the said summe or summes that such person for himselfe, or for anye other by this act shall be chargeable, or ought to be charged withall, and also for the fees; everye such arreast to him or them that shall execute such precept, twentye pence, and that everie officer to whom such precept shall be directed, doe his due diligence, and execute the same uppon every person so beinge indebted, uppon payne to forfeit to the Kinge's Majestye for every defalte in that behalfe, twentie shillings; and that no keeper of any gaole from his gaole suffer anye such person to goe at large, by lettinge to bayle or otherwise to departe oute of his prison, before he hath payed his sayed debt, and the sayd twentye pence for the said arrest, uppon payne to forfeit to the Kinge's Majestye fortye shillings, and the same gaoler to paye to the Kinge's Majestye, the double value, as well of the rate which the said person so imprisoned was taxed at, as of the sayd twentie pence for the fees, and like proces and remedye in lyke forme shall be graunted by the sayd commissioners, or as manye of them, as by the sayd commission shall be thereunto appointed, at like informacion of every person or persons, beinge charged with anye summe of moneye for anye other person or persons, by reason of the sayed subsidye, and not thereof payed, but willfullye withdrawn, nor the same levyable within the lymittes wheare such persons weare thereunto taxed, and yf the summe or summes beinge behinde and unpaid by anye person or persons as is aforesaid, to be leavied and gathered by force of the sayed processe to be made by the said commissioners, or yf in defalte, or for lacke of payment thereof, the person or persons so oweinge the said summes of money, by processe of the same commissioners, to be made as is aforesaid, be committed to prison in forme above sayd, that then the sayd commissioners which shall awarde such processe, shall make certificate thereof in the said exchequer, of that shall be done in the premisses, in the tearme next followinge, after such summe or summes so beinge behinde shall be leavied and gathered, or such person or persons for non payment of the same, committed to prison; and yf yt happen anye of the sayd collectors to be assigned, or any mayors, sherriffes, stewardes, constables, bayliffes, or any other officer or minister, or other whatsoever person or persons to disobey the sayd commissioners, or anye of them, in the reasonable request to them made by the sayd commissioners, for the execution of

A. D.

1612.

Chap. 10.

A. D.
1612.
Chap. 10.

the sayd commission, or yf any of the officers or other persons doe refuse that to them shall apperteine or belonge to doe by reason of anye precept, to him or them to be directed, or any reasonable commaundement, instance, or request towching the premisses or other defalte in any apparance or collection to make, or yf anye person being suspected not to be indifferentlie taxed as is aforesaid, doe refuse to be examined accordinge to the tenor of this acte, before the sayd commissioners, or as manye of them as shall be theareunto assigned as is aforesaid, or will not appeare before the same commissioners upon warninge to him made, or ellse make resistance or refuse uppon anye distresse, uppon him to be taken for anye parcell of the sayd subsidye, or committ anye misbehaviour in any maner of wise contrarie to this acte, or committ anye willfull omission, or other whatsoever willfull doinge or misdoinge, contrarie to the tenor of this acte; or graunt the same commissioners, and everie number of them above remembred, or twoe of them at the least, uppon probable knowledge of anye such misdemeanours, had by informacion or examinacion, shall and may sett upon everie such offenders, for everie such offence in the name of a fine by the same offenders to be forfeited fortye shillings, or under, by the discretion of the same commissioners: and further the said commissioners, and everie number of them, or two of them at the least, shall have auethoretie by this present acte to punishe everie such offenders by imprisonment, theare to remayne and to be delivered by their discretion as shall seem to them convenient, the said fynes yf anye such be to be certefied by the said commissioners, that so assessed the same, unto the sayd Kinge's Majestie's Exchequer, theare to be leaved and paid by the collectors of that part of the said subsidie, retourned into the sayd Exchequer, to be thearewith charged with the payment of the said subsidye, in such manner as yf the said fines had been sett and taxed upon the said offenders for the said subsidye.

XVII. And yt ys also enacted by the said auethoretie of this present Parliament, That everie of the said highe collectors, which shall accompte for any parte of the sayd subsidye in the said Exchequer, upon their severall accomptes to be yeelded, shall be allowed at every of the said payments of the said subsidye, for everie pounce limited to his collection, wheareof any such collector shall be charged, and yeelde accompte sixpence, as parcell of his or their charge, that is to saye, of everie pounce theareof, of such persons as then have had the particuler collection of the townes and other places as is aforesayd specified in his collection, two pence, and other two pence of everie pounce thereof, everie of the sayd cheefe collectors or their accomptants to retayne to their owne use for their laboure and charge in and aboute the premisses, and two pence of everie pounce residue to be delivered, allowed, and payed by the sayd collectors so beinge thereof allowed to such of the commissioners as shall take upon them the busines and laboure, for and aboute the premisses, that is to saye, everie collector to paye that commissioner or commissioners which had the orderinge of the writings, of and for the sayd subsidye, wheare the sayd collector or collectors had their collection, for the expences of the said commissioners so takinge uppon them the sayd busines and laboure of their clerkes writings of the said preceptes and extractes of the said collections; the same last two pence of everie pounce to be divided amongst the sayd commissioners, havinge regarde to their laboure and busines taken by them, and their said clerkes in and aboute the premisses, for which parte so to the sayd commissioners appertayning, the said commissioners, sixe, five, foure, three or two, or as manye of them as shall be thereunto appointed by the Kinge's Majesties commission, and everie of them, jointelye and severallye for his and their sayd parte, maye have his remedye against the said collector or collectors, which thereof been, or might have been allowed by action of debte, in the which the defendant shall not wage his lawe, neither protection, neither injunction or essoyne shall be allowed; and that no person nowe beinge of the number of the companye of this present Parliament, nor anye commissioner shall be named nor assigned to be anye collector or sub-collector or presenter of the said subsidies or anye parte thereof, nor anye commissioners shall be compelled to make any presentment or certificate, other then into the Kinge's Majesties sayd Exchequer, of, for or concerning the said subsidye or any parte or parcell thereof, and likewise that no other person that shall be named and assigned, to be commissioner in anye place to and for the execution of this acte of subsidye, be or shall be assigned or named head collector of anye
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of the payments of the said subsidy, neyther of anye parte thereof; and that everie such person or persons which shall be named and appointed as is aforesaid, to be head collector of and for the firste payment of the said subsidy and collection thereof, or of any part thereof, shall not be compelled to be collector for the seconde payment of the said subsidy, nor for anye parte thereof; and the said collectors, which shall be assigned for the collection of the said subsidy, or anye parte thereof, and everie of them, be and shall be acquitted and discharged of all maner fees, rewardes, and everie other charges in the Kinge's Majesties exchequer, or elsewhere, of them or any of them, by reason of that collection, payments or accomptes, or any thinge concerninge the same to be asked; and that yf anye person receive or take any fees, rewardes, or pleasures of anye such accomptant, or use anye unnecessary delaye in their accompte, that then he shall forfeit to the Kinge's Majestie for everie pennye, or value of everie pennye or pennyeworth so taken, five shillings, and five poundes to the partie grieved for everie such delaye, and suffer imprisonment at the Kinge's Majesties pleasure; and after everie takinge and assessinge of the said subsidie as is aforesaid had or made, and the said estreats thereof in parchment unto the collector, in maner and forme before rehearsed, delivered, the sayd commissioners which shall take uppon them the execution of this acte, within the lymites of their commission, by their agreements, shall have meetings together, at which meeting everie of the said commissioners which then shall have taken upon them the execution of any parte of the sayd commission, shall by himsele, or his sufficient deputye, truely certefye and bring forth unto the said commissioners named in the said commissions, and the certificate and presentment made before him, and such other commissioners as weare lymitted with him in one lymitt, so that the sayd certificate may be accompted and cast with the other certificates of the other lymitts within the same commission, and then the said commissioners, and everie number of them, unto two at the least, as is aforesaid, yf any be in lise or their executors or administrators of their goodes, yf they then be dead, shall joyntelye and severallye, as they were divided in their lymitts, under their seales by their discretion make one or several writinges indented, contayninge in yt, as well the names of the said collectors, by the commissioners for such collection and accomptes in the exchequer, and payments in the same receipt deputed and assigned, as the grosse and severall summes written unto everie such collectors, to receive the said subsidy, and also all fines, amerciaments, and other forfeitures, yf anye such, by reason of this acte, happen to be within the precincte and lymitt of their commission, to be certefyed into the Kinge's Majesties said Exchequer by the said commissioners, in which writinge or writinges indented, so be certefyed, shall be playnelye declared and exprest the wholle and entire summe and summes of the sayd subsidies, severallye lymitted by the collection of the said collectors severallye deputed and assigned to the collection of the sayd summes, so that none of the sayd collectors so certefyed in the said Exchequer, shall be compelled there to accompte or to be charged but onelye to and for the summes lymitted to his collection and not to and for any summe lymitted to the collection of his fellowes, but everie of them shall be severally charged for their parte lymitted to their collection: and yf the said commissioners joined in one commission amongst themselves in that matter cannot agree, or yf any of them be not readye, or refuse to make certificate with other of the same commissioners, that then the said commissioners may make severall indentures in forme aforesaid, of their severall lymitts or seperations of collectors within the lymitts of their commission uppon and in the baronies, cantreds, or other like divisions, within the sayd severall lymitts of their commission, as the places there shall requier to be severed and divided, and as to the same commissioners shall seem good to make divisions of their lymitts or collections for the several charges of the same collectors, so that alwaye one collector shall be charged, and accompte for his parte to him to be lymitted onelye by himself, and not for any summe lymitted to the parte of anye of his fellowes, and the charges of everie of the collectors to be sett and certefyed severallye uppon them; and everie such collector uppon his accompte and payment of the summe of money lymitted within his collection, to be severallye by himsele acquitted and discharged in the said exchequer, without payeing anye maner fees or rewardes to anye person or persons for the same, uppon payne and penaltye last aforesayd, and not to be charged for any porcion of any other collector; and yf anye commissioner after he hath taken certificate of them, that is

A. D.
1612.
Chap. 10.

aforesayd, shall be before any such commissioners examined, and the summes rated and sett, and the bookes and writtings thereof beinge in his handes, or yf any collector or other person charged with anye receipt of anye parte of the sayd subsidye, or anye other person taxed, or otherwise by this acte charged with or for anye parcell of the said subsidye, or with anye other summe, fine, amerciament, penaltie, or other forfeiture, happen to dye before the commissioners, collectors, or other whatsoever person or persons have executed, accomplished, satisfied, or sufficiently discharged that which to every such person shall appertaine or belonge, to doe accordinge to this acte; then the executors and heires of everie such person, and all other seised of anye landes and tenements that anye such person, beinge charged by this acte, and deceasinge before he be discharged thereof, or anye other to his use, onelye had of the estate of inheritance at the tyme that anye such person was named commissioner, collector, or otherwise charged with or for anye maner of thinge to be done, satisfied, or paid by reason of this acte; and all those that have in their possessions or handes, anye goods, chattels, leafes, or other thinges that weare to anye such person or persons at the time of his death, or anye landes or tenements that weare the same persons at the tyme he was, as is aforesaid, charged by this acte, shall be by the same compelled and charged to doe and accomplishe in everie case, as the same person so beinge charged should have done, or might have been compelled to doe yf he had been in plaine lief, after such rate, of the landes and goodes of the said commissioner or collector as the partie shall have in his handes; and yf the said commissioners for causes reasonable then moveinge, shall thinke it not convenient to joyne in one certificate as is aforesaid, then the said person or persons that shall first joyne together, and he that shall firste certefye the said writtinge, indented as is aforesaid, shall certefye all the names of the commissioners of that commission, whereuppon such writting shall be theare, then to be certefyed with the devision of the baronies, cantreds, hundreds, tythinges, and other places to and amonge such commissioners of the same commission, with the names of the said commissioners where such separacions and devisions shall be, with the grosse sommes of money as well of and for the said subsidye, taxed or sett of or within the said baronies, cantreds, hundreds, tythinges, or other places to him or them devided or assigned, that shall so certefye the said firste writtinge, as of the fines, amerciaments, penalties, and other forfeitures, yf anie happen to be within the same lymitts whereof the same writtings shall be certefyed, and after such writtinge indented, which as ys aforesaid, shall be certefied and not containe in yt the wholle and full summes sett and taxed within the lymitts of the same commission, the other commissioners of the same before the daye of payment of the sayd subsidie, shall certefye into the said exchequer by their writtinge or writtings indented, to be made as is aforesaid, the grosse and severall summes sett and taxed within the places to them limited for the said subsidye, and other fines, amerciaments, penalties and forfeitures, with the names of the baronies, cantreds, hundreds, tythinges, and other places to them assigned, or else by their said writtings indented, to certefye at the same place before the same daye of payment, such reasonable causes for their excuses, whie they may not make such certificate of and for the said subsidies, fines, amerciaments, and other causes growinge or set, by reason of the causes of their lettes, or of their not certefying as is aforesaid, or else in defaulte thereof, processe to be made out of the King's Majesties said exchequer against the said commissioners and everie of them, not making certificate as is aforesayd, by the discretion of the threfurer and barons of the said exchequer.

XVIII. Provided allwayes and be yt further enacted by the aucthoretie aforesaid, That all and everie person and persons havinge manors, landes, tenementes, and other hereditaments chargeable to the payment of the sayd subsidye graunted to the Kinge's Majestie by this acte, and also havinge spirituall possessions chargeable to his sayd Majestie by the graunte made by the clergie of this realme in their convocation, and over this havinge substance in goodes and chattels chargeable by this acte, that then yf any of the sayd person or persons be hereafter charged, assessed, and taxed for the sayd manors, landes, tenements and spiritual possessions, and also assessed, charged, and taxed for his and their goodes and chattels, that then he or theye shall be onelie chargeable by vertue of this acte for his and their said manors, landes,

landes, tenements, hereditaments, and spirituall possessions, or onely for his sayd goodes and chattels, the best thereof to be taken for the Kinge's Majestie, and not to be charged for boath, or double charged for anye of them; anye thinge in this acte conteyned to the contrarie in anye wise notwithstanding.

A. D.
1612.
Chap. 10.

XIX. Provided allwayes, That this graunte of subside or any thinge therein conteined, in anye wise extend not to charge the provoste, fellowes, and schollers of the college of the Holey Trinity neere Dublin, nor anye manors, landes, tenements, and other possessions, goodes, chattels, or other moveable substance which the sayd provost, fellowes, and schollers, or anye others to their use, have within this realme of Irelande; anye thinge in this present acte to the contrarie in anye wise notwithstandinge.

XX. Provided allwaies and be yt enacted by the auethoretye aforesayd, That no orphan or infante within the age of twentye and one yeares, borne within anye of the Kinge's Majesties dominions, shall be charged to anye payment of this subside, for his or her goodes and chattels to him or her lefte or bequeathed; any thinge in this acte conteined to the contrarie notwithstandinge.

XXI. Provided neverthelesse and be yt enacted by the auethoretye aforesayd, That yf anye alien or stranger borne denizen or not denizen, and dwellinge or inhabitinge within this realme of Ireland, shall assigne or convey over unto anye his or their childe or children borne within this said realme of Irelande, anye his or their landes, tenements, goodes and chattels, to the intent theareby to defraude the Kinge's Majestie of his sayd subside of or for the same; that then all and everye suche childe and children so beinge seised of anye such landes and tenements, or possessed of anye souche goods or chattels, shall be charged and chargeable to and with the payment of double the said subside for the same landes, tenements, goodes and chattels, at the sayd rates and values, as aliens and strangers, denizens or not denizens, are before lymitted and appointed to paye.

THE END OF THE FIRST VOLUME.







Butler, James G.

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